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S. Hrg. 107–439

NOMINATION HEARING FOR NANCY S. BRYSON, GRACE DANIEL, FRED DAILEY, AND THOMAS DORR

HEARING

[BEFORE THE]

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY UNITED STATES SENATE

ONE HUNDRED SEVENTH CONGRESS

SECOND SESSION

MARCH 6, 2002

Printed for the use of the Committee on Agriculture, Nutrition, and Forestry



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NOMINATION HEARING: NANCY S. BRYSON, GRACE DANIEL, FRED DAILEY AND THOMAS DORR

WEDNESDAY, MARCH 6, 2002

U.S. SENATE,
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
Washington, DC.

The committee met, pursuant to notice, at 9:35 a.m., in room SD–106, Dirksen Senate Office Building, Hon. Tom Harkin, [Chairman of the Committee], presiding.

Present or submitting a statement: Senators Harkin, Baucus, Stabenow, Wellstone, Dayton, Lugar, Thomas, and Allard.

STATEMENT OF TOM HARKIN, A U.S. SENATOR FROM IOWA

The CHAIRMAN. Good morning. The Senate Committee on Agriculture, Nutrition, and Forestry will come to order.

We are here this morning to consider four nominations. First, we will consider the nomination of Mr. Dailey, and then Ms. Daniel, and then Ms. Bryson, and then Mr. Thomas Dorr to serve as Under Secretary of Agriculture for Rural Development.

To each of the nominees, I want to say I wish we could have scheduled the hearing sooner, and I hope your families and friends were not too inconvenienced by our several attempts to schedule this hearing. September the 11th brought many challenges to conducting business on Capitol Hill. Then we became embroiled in another great challenge, passing a farm bill, and we are still in the middle of that effort as we try to work with the House to reach agreements on the two bills.

With that said, I would welcome our first panel—that is Ms. Bryson and Ms. Daniel and Mr. Dailey—to the witness table. Before I administer the oath to these three nominees and before I recognize Senator Voinovich and Senator DeWine for the purposes of introduction, I would turn to my distinguished ranking member, Senator Lugar, for any opening statement that he might have.

STATEMENT OF HON. RICHARD G. LUGAR, A U.S. SENATOR FROM INDIANA

Senator LUGAR. Well, thank you very much, Mr. Chairman. I join you in welcoming the nominees and witnesses who will speak about them today. I look forward to an excellent hearing. I am glad that we have an opportunity to bring these witnesses to a point of confirmation.

I will have more to say as the hearing progresses and we have opportunities to question the witness. We thank you all for appearing. We appreciate our colleagues Senator DeWine and Senator Voinovich coming this morning to be with us.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Lugar.

Now, I would ask the three nominees—Ms. Nancy Bryson, Ms. Grace Daniel, and Mr. Fred Dailey—to please rise and raise your right hand, and I will administer the oath to all of you in unison.

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Ms. BRYSON. I do.

Ms. DANIEL. I do.

Mr. DAILEY. I do.

The CHAIRMAN. Thank you. Please be seated.

I would first recognize Senator Voinovich from Ohio for the purposes of introduction, and then I would recognize Senator DeWine.

Senator Voinovich, welcome to the Agriculture Committee.

STATEMENT OF HON. GEORGE VOINOVICH, A U.S. SENATOR FROM OHIO

Senator VOINOVICH. Thank you very much, Mr. Chairman.

It is my pleasure to join with the senior Senator from Ohio, Senator DeWine, to introduce to this committee President Bush's nominee to the Board of Directors of the Federal Agricultural Mortgage Corporation and my dear friend, Fred Dailey.

Fred, I would first like to extend a welcome to you and your daughter, Calley, and extend my regrets that your wife, Rita, is not able to be here today. I would also like to thank you for your willingness, Fred, to serve your country in this position.

Mr. Chairman, as Governor of Ohio, I appointed Fred Dailey to be the Director of the Department of Agriculture in 1991, and I have often said that Fred was one of the smartest appointments that I made. He served me for 8 years, and then the new Governor came in and extraordinarily decided that he wanted to continue to have Fred's services. That really speaks volumes about how he is regarded in Ohio.

To say Fred has a vast knowledge and understanding of and experience with the agriculture community would be an understatement. Besides his current duties, Fred has his own farm where he and his wife, Rita, raise Angus beef. In addition, Fred is past president of the Midwest Association of the State Departments of Agriculture, having previously served the organization as vice president and secretary. He is past president of the Mid-America International Agritrade Council, and he has received the Future Farmers of America's Honorary State Farmer Degree from both Ohio and, Senator Lugar, from Indiana.

He is also the recipient of numerous other agricultural awards, including Agrimarketer of the Year, industry service awards from commodity organizations, and the Golden Boot Award presented by Agri-Broadcasting Network.

Perhaps the greatest endorsement of Fred Dailey is from his peers who have selected him as president of the National Association of State Departments of Agriculture.

Mr. Chairman, I have had the privilege of knowing Fred for many years, and he is unquestionably a man of exceptional character, talent, and integrity, the kind of person that we would want to serve on any of our boards. His professional demeanor and his thorough knowledge of the agricultural community combine to make him truly an excellent candidate for the Board, and I am delighted that Fred has once again accepted the call to public service.

Mr. Chairman, it is my pleasure to give Fred my highest recommendation, and I would like to thank you for the opportunity that you have given me this morning to introduce him to the committee.

The CHAIRMAN. Thank you very much, Senator Voinovich, for that great statement and for your strong support of Mr. Dailey.

Now I would recognize the senior Senator from Ohio, Senator DeWine.

STATEMENT OF HON. MIKE DeWINE, A U.S. SENATOR FROM OHIO

Senator DEWINE. Mr. Chairman, thank you very much. I have a written statement which I would like to submit for the record with the Chair's permission.

Let me also welcome to the U.S. Senate and to this committee Fred and his daughter, Calley. We are delighted that Calley could join you, Fred, today.

We are very proud, Mr. Chairman, of Fred Dailey in Ohio. Senator Lugar, as has already been pointed out, Fred also has roots in Indiana agriculture as well.

We are very proud of him, as my colleague, Senator Voinovich, has indicated. Fred has actually now served under three Governors in the State of Ohio. He has been someone who I got to know and spent a lot of time with when I was Lieutenant Governor, the 4 years that I served under then-Governor Voinovich. Fred and I worked very closely on a number of agriculture-related issues, and he was always someone who I was very impressed with the depth of his knowledge of agriculture. He was a great administrator, is a great administrator, someone who has made the department run very, very well. When you would see Fred out talking with other farmers, when you would see him traveling the State of Ohio, you just really got a feel that this is a man who truly does, in fact, understand agriculture.

I am delighted that Fred has agreed to allow his name to be put in nomination by the President, and I could not recommend him higher to this committee.

[The prepared statement of Senator DeWine can be found in the appendix on page 86.]

The CHAIRMAN. Thank you very much, Senator DeWine, for your strong support and for your great statement.

Before I recognize Mr. Dailey, I recognize Senator Allard from Colorado, for any opening statements or comments that you would like to make.

Senator ALLARD. Mr. Chairman, thank you very much. I don't have an opening statement. I look forward to this hearing. Thank you very much.

The CHAIRMAN. Thank you very much, Senator Allard.

Senator DeWine and Senator Voinovich, I—well, I see he has already—I know we have busy schedules. We all have hearings to attend.

Senator DEWINE. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much for being here.

The CHAIRMAN. As I said, we will go in order with Mr. Dailey, then Ms. Daniel, then Ms. Bryson. That is rather logical. The first two, of course, are nominees for the Board of Directors of the Federal Agricultural Mortgage Corporation.

Mr. Dailey, we welcome you and congratulate you on your nomination. There is one question I have to ask each of you after administering the oath.

Mr. Dailey, do you agree to appear before any duly constituted committee of the U.S. Congress if asked?

Mr. DAILEY. I do, Mr. Chairman.

The CHAIRMAN. Thank you very much, Mr. Dailey.

Mr. Dailey, I would recognize you for any opening statement that you might have for the committee.

STATEMENT OF FRED L. DAILEY, OF OHIO, TO BE ON THE BOARD OF DIRECTORS OF THE FEDERAL AGRICULTURAL MORTGAGE CORPORATION

Mr. DAILEY. Mr. Chairman, I am going to keep my opening statements very short since you were kind enough to let both our U.S. Senators speak on my behalf. I would like to recognize my daughter, Calley Dailey, who is a student at Miami University, and thank you for allowing her to come to this——

The CHAIRMAN. Miami of Ohio.

Mr. DAILEY. Miami of Ohio, that is right.

The CHAIRMAN. I just wanted to make sure the record showed that.

Mr. DAILEY. Purdue would have been her second choice, though. [Laughter.]

Mr. DAILEY. I appreciate the opportunity to appear before you today, and I want to share with you my background as it relates to this appointment and my enthusiasm for our Nation's agriculture industry.

As Governor Voinovich, now Senator Voinovich, when he asked me to serve with the administration, that was back in 1991. We have come a long way since that time. Even before then, I served in Indiana under the Lieutenant Governor, who serves by statute as Commissioner of Agriculture in the State of Indiana. I have had a variety of jobs, from being a soldier to a U.S. sky marshal. For the last 25 years, my professional experience has revolved around agriculture.

Currently, I oversee 500 employees at the Department of Agriculture. Our role and mission is primarily regulatory, and much of that revolves around food safety. As Senator Voinovich indicated, I am immediate past president of the National Association of State Departments of Agriculture, and I would like to say that we have spent a lot of time at the State Departments of Agriculture since September working on bio-terrorism. We have done a lot of testing of anthrax in our laboratories. Routinely we do 400 to 500 tests a year. We have also done a lot of preparedness for potential agro-

terrorism events—foot-and-mouth disease, table-top exercises, and BSE exercises, mad-cow disease, with the Food and Drug Administration.

I currently live on a farm and commute back and forth to Columbus, Ohio, a 270-acre farm where we raise Angus cattle. As I indicated, most of my professional career has involved farmers and agriculture in some manner or another.

I will be candid with you, Mr. Chairman and members of the committee. I am not a banker. I don't have a degree in finance. I do have a strong commitment to the Nation's agriculture industry, and I am interested in this appointment because it allows me to further serve our Nation's agriculture industry by assuring that there will continue to be a ready and competitive secondary market for agricultural mortgages.

I am hopeful that I can carry out the mandates of this program as envisioned by Congress and that we can continue to provide an ever-growing secondary market for agricultural mortgages, thereby assuring the continued availability of reasonably priced credit to our producers and agri-businesses as well as capital to our rural banks and credit institutions.

Mr. Chairman, it has been my experience working with farmers directly that we have moved from being a very labor-intensive industry to a capital-intensive industry. It is important that we have reasonably priced capital for our producers.

Thank you again for inviting me here today, Mr. Chairman. I would be happy to answer any questions that you or members of the Senate Ag Committee would have.

The CHAIRMAN. Well, thank you very much, Mr. Dailey. Again, we have heard many good recommendations on your behalf. I really don't have a lot of questions, except the one that I just posed to you. Many of us on this committee for a long time have wrestled with the difficulty of getting young farmers and starting up their own operations. As a committee, we continue to look for ways to address the challenge. We look for ways that USDA and the institutions regulated by the Farm Credit Administration, including Farmer MAC, and private lending institutions can provide access to credit, reasonably priced, for beginning farmers.

I guess just my general question to you is: How do you believe that Farmer MAC could help contribute to this process, this goal of trying to enable younger farmers to get a foothold in agriculture?

Mr. DAILEY. Mr. Chairman, you have really done a very good job of helping young farmers. In the new farm bill, as you have proposed it, there are additional provisions that would provide additional dollars for first-time beginning farmers. As I indicated, it is difficult for young farmers to get started, and especially perhaps in some of those States that are very rural. In our State, in the urbanized States, you can work second jobs, but in many of the other States you can't.

At the same time, those rural banks need to have the liquidity so that they can provide credit to farmers, and that is where Farmer MAC comes in because it provides increased liquidity, generates additional capital that those farmers have in the rural areas so they can lend money to hopefully beginning farmers and other farms as well.

The CHAIRMAN. Thank you, Mr. Dailey. I look forward to further discussions with you as we go through the months ahead on that one subject.

Senator Lugar.

Senator LUGAR. Mr. Dailey, I appreciate all the good comments that have been made about your Indiana experience in addition to the vast experience you have had in Ohio. I would just simply add for the record that Anderson University and Ball State University are very proud of you, as well as your service with the Lieutenant Governor of Indiana.

Mr. DAILEY. Thank you.

Senator LUGAR. My question is prompted by the chairman's question and your response; namely, the farm bill, at least as passed by the Senate, does have substantial emphasis on young farmer loans, and that is deliberate, and that is a conferenceable item. This is still in flux. The chairman and I have a strong feeling of support for that. Hopefully all of the conferees will come to that conclusion.

In preparation for either dealing with young farmers or others in Farmer MAC, you mentioned that you were not a banker, but obviously your experience in agriculture is extensive. What preparation have you taken to prepare yourself for this role? Have you visited with other members of the Board, with people who have been involved with the bank? Or can you describe at all, at least for the sake of this hearing, your own preparation for this responsibility?

Mr. DAILEY. Mr. Chairman, Senator Lugar, first of all, I had a chance to read the briefing materials, the Securities and Exchange Commission reports for the past four quarters. I had a chance to look at the outline of the charter—I haven't read the charter itself—and some of the amendments that we have made to that.

I have had the chance to come into the Farmer MAC office and receive a briefing, along with my counterpart here, Grace Daniel.

On top of that, I have had a chance to go to the Rural Development Service of the USDA that also sells paper to the Farmer MAC program, and they were very appreciative of this program and having that outlet, and many of their programs are guaranteed programs. I have had a chance to talk to some bankers about the program, too, that have used it.

My learning curve is still continuing, I would hasten to add, and I still have a lot of work to do. I am very concerned about transparency. We have an excellent management team in place. The track record is good. I know that my role as one of the Board members is to make sure that things continue to go as Congress envisioned it, and I pledge to you my best efforts to do that.

Senator LUGAR. Well, thank you very much. As you know, the Farmer MAC organization and much of its acceleration has occurred because of hearings such as this one in the committee and actual legislation passed in various farm bills. From time to time in the early days, Farmer MAC's existence seemed precarious. Members such as yourself or Board members came to tell us of their difficulties and asked for support, which they received. This is not a perfunctory hearing. As far as we are concerned today, this is a very important institution that really has arisen from the

needs of agricultural America. I appreciate your answers. I look forward to supporting your nomination.

Mr. DAILEY. Thank you.

Senator LUGAR. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Lugar.

Senator Baucus.

Senator BAUCUS. No questions. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Allard.

Senator ALLARD. Mr. Chairman, I just want to re-emphasize what my colleague from Indiana, Senator Lugar, said about being sure that we have good transparency. It is a well-managed program and investors have confidence in Farmer MAC. Just before I came to the Senate, I served on—in fact, I was chairman of one of the subcommittees on the Agricultural Committee over on the House side. Farmer MAC was under our jurisdiction. We had some concerns at that particular time about Farmer MAC and among other things, its financial stability. Apparently most of that is behind us, but I can't emphasize enough how important it is, particularly during economic downturns, that we maintain investor confidence in Farmer MAC. That is an important part of making sure that money is available for beginning farmers and their needs.

One of the things that we noticed is that some farmers for one reason or another, didn't qualify as beginning farmers. It seems these same farmers kept defaulting on their loans and continued to come back and for another loan. That is something that we need to watch in the portfolio.

The CHAIRMAN. Thank you, Senator Allard.

Mr. Dailey, thank you very much.

[The prepared statement of Mr. Dailey can be found in the appendix on page 96.]

The CHAIRMAN. We will turn now to Ms. Grace Trujilo Daniel, of California, a nominee for the Board of Directors of the Federal Agricultural Mortgage Corporation. I would ask you, Ms. Daniel, do you agree to appear before any duly constituted committee of the U.S. Congress if asked?

Ms. DANIEL. I do, sir.

The CHAIRMAN. Thank you very much. We welcome you to the committee, Ms. Daniel, and if you have an opening statement, please proceed.

STATEMENT OF GRACE DANIEL, OF CALIFORNIA, TO BE ON THE BOARD OF DIRECTORS OF THE FEDERAL AGRICULTURAL MORTGAGE CORPORATION

Ms. DANIEL. I do, if I may. First of all, I wanted to introduce to you my guests today. Unfortunately, my husband, Tony, could not be with me but my brother-in-law and my sister-in-law, who live nearby, were kind enough to join me today for moral support, and it is John and Mandy Wertz. They are sitting right here behind me.

The CHAIRMAN. We certainly welcome them here to the committee.

Ms. DANIEL. Then it just happened that this is the week where the U.S. Hispanic Chamber of Commerce had its legislative conference, so I am lucky enough to introduce you to some of my board

members of the Sacramento Hispanic Chamber of Commerce, and they are in those back two rows back there. They are all here wanting to see the process in action. I am very proud to have them here today.

The CHAIRMAN. Well, we certainly welcome you to the Agriculture Committee. Welcome.

Ms. DANIEL. Anyway, good morning to you, Mr. Chairman, Mr. Harkin, Senator Lugar, Senator Allard, Senator Baucus. Thank you for allowing me today to make brief statements, and they will be brief.

I am honored, privileged to be before you today as the nominee of George W. Bush to this fantastic Board of Directors, Farmer MAC Board of Directors.

If confirmed by the Senate, I look forward to serving on the Farmer MAC Board to ensure liquidity to lending institutions that provide loans to agricultural borrowers. I fully recognize the importance—the important role agriculture plays in the strength of the U.S. economy and the need to enable farmers and ranchers to access much needed financial resources.

I would like to briefly discuss with you my credentials for the position and how I can provide this experience to Farmer MAC's loan programs.

As director of the California Small Business Office and the Small Business Advocate for the State of California, I became very familiar with government-guaranteed lending and the importance of providing financial flexibility to developing small businesses and to rural farming communities. In that capacity, I was responsible for the management of the eight California Small Business Financial Development Corporations that provided loan guarantees and direct farm loans.

I am proud to say that during my tenure, from 1992 to 1996, we increased both the dollar amount of the State's trust fund, from $30 million to $70 million, and doubled the number of guarantees from 200 to 400 loans, and doubled the direct farm loans from 28 to 52. This may seem insignificant considering the size of Farmer MAC's lending capability, but this truly prepared me for some of the important things that we need to look at when we are trying to support the farming communities, especially what we were trying to do in California.

In closing, I would like to restate my feelings of the great honor I feel for being nominated by President Bush to this Board and the commitment I have to serving my country in this capacity. I truly feel my background and experience have prepared me for this position.

If confirmed, I will seek the advice of the Federal Agricultural Mortgage Corporation staff and Board members, this committee, and other Members of Congress, as I attempt to effectively discharge the duties as a member of the Federal Agricultural Mortgage Corporation Board of Directors.

I thank you for your consideration.

The CHAIRMAN. Ms. Daniel, thank you for your statement. Thank you for your willingness to serve. You certainly have a distinguished background.

As you know, Farmer MAC also serves as the secondary market for rural business and community development loans and certain other loans guaranteed by the USDA under the Farmer MAC II Program. We on this committee have worked hard to help provide new opportunities for rural businesses, which we feel is a crucial ingredient to a healthy rural economy.

With your experience as the former director of the California Office of Small Business and as a private consultant, could you make some brief comments on what role Farmer MAC should and could effectively play in rural economic development for small business development?

Ms. DANIEL. One of the major roles or challenges that Farmer MAC is going to have is to have an education program. We have found that some of the rural farmers and some of the small business owners did not access programs that were available to them is because they were not aware of them, and they were not aware of how to prepare themselves to qualify for some of these opportunities. One of those would be an education that we would have insure we have in place.

The CHAIRMAN. More effective outreach.

Ms. DANIEL. Absolutely.

The CHAIRMAN. I appreciate that. Thank you very much, Ms. Daniel.

Senator Lugar.

Senator LUGAR. Ms. Daniel, as I questioned Mr. Dailey before, the committee faced within the last decade a situation with regard to all of farm credit that was very dire. It did not approach the size of the savings and loan crisis, although at the time there were some wild estimates of how many billions of dollars might be required of taxpayers to somehow really bail out those elements, not necessarily Farmer MAC but well-established institutions in the Federal Credit System.

Your background is extensive in marketing, in business, and working through these problems, but are you aware generally of the history say of farm credit in the last two decades, both its rise and its fall and its resurrection, and how the resurrection came about, namely, the bailout did amount to a little over $1 billion, not 10 or 20, but still sizable sums of money to reorganize what we had, with Farmer MAC then added really to give these additional services the chairman has mentioned. I just want you in your own words to describe your preparation for this experience, your idea of the history of farm credit so that as now a trustee on behalf of all of us of a part of it, and a very important part, you will be prepared to alert us in this committee or others as to problems that you foresee so that we do not go into the drink again, as we are inclined to do given the cycles in farming in America.

Ms. DANIEL. In my past experience in California, I had two main responsibilities when I was overseeing the financial centers. One of them was to protect the trust fund and to ensure that that trust fund was being managed properly. Second, to make sure that the underwriting requirements were as stringent as we could make them, and yet flexible enough so that those that could qualify could receive this funding. We wanted to make sure that this money was used and it was a trust fund, so in view of that, I feel that for

Farmer MAC, I would apply those same principles of ensuring that taxpayers' money and in this case, the investors of Farmer MAC's fund is protected. Also I am also aware of Farmer MAC's underwriting requirements and the necessary steps that the loan program—or the people who are going to be accessing these loans need to make in order to qualify for these direct loans and for the loan guarantees.

I feel that they're in place. I am looking forward to learning more about how we can make this as safe as possible.

Senator LUGAR. Have you studied the portfolio to the extent of knowing the number of loans that are in arrears as far as payments or classified in some degree of jeopardy of repayment and what kind of program Farmer MAC has to try to bring this back to equilibrium?

Ms. DANIEL. I haven't studied thoroughly the portfolio, but I was aware during our briefing that the default loans were quite minimal and that a lot of effort was made to ensure that they were paid ultimately.

I'm not a banker, either, but I felt pretty confident that the measures they have in place are good lending practices.

Senator LUGAR. Thank you very much, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

Senator Baucus.

Senator BAUCUS. No questions. Thank you.

The CHAIRMAN. Senator Allard.

Senator ALLARD. No questions.

The CHAIRMAN. Thank you very much, Ms. Daniel.

[The prepared statement of Ms. Daniel can be found in the appendix on page 98.]

The CHAIRMAN. Now we turn to the nomination of Nancy S. Bryson for the position of General Counsel at USDA.

Ms. Bryson, you have been nominated to serve as General Counsel. This is an important position with many responsibilities as part of the Secretary's sub-cabinet. The General Counsel is the chief legal officer of the Department and, therefore, plays a critical role in the regulatory and legal affairs of the Department.

I should warn you at the outset that I do know a little bit about the Office of General Counsel. My wife once served as the Deputy General Counsel there. That has been a few years ago. We also have Charlie Rauls as the counsel to our committee, who was your predecessor and who served for two and a half years as General Counsel at the Department of Agriculture. It is an extremely important position.

I have always heard good things about the quality of the lawyers at the Department and their dedication to public service, and I am sure that tradition will continue under your leadership. Before I recognize you for an opening statement, I have one more question I have to ask you. Do you agree to appear before any duly constituted committee of the U.S. Congress if asked?

Ms. BRYSON. I do, Mr. Chairman.

The CHAIRMAN. Thank you very much, Ms. Bryson, and if you have an opening statement, please proceed.

STATEMENT OF NANCY S. BRYSON, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF AGRICULTURE

Ms. BRYSON. Thank you. Mr. Chairman and distinguished members of the committee, it is an honor for me to appear before you today as President Bush's nominee for the position of General Counsel of the Department of Agriculture.

I thank the President and Secretary Veneman for the trust and confidence they have placed in me in choosing me for this nomination. If confirmed, I will work to the best of my ability to faithfully discharge the duties of my office.

I would like to introduce my family members who are here with me in the audience: my husband, John; my son, Alex, who is a junior at Georgetown Day School here in the District; my father-in-law, Brady Bryson; and my cousin, Donna Whitman. If you will bear with me——

The CHAIRMAN. Welcome. Welcome to the committee.

Ms. BRYSON. I would like to say others who are here with us in spirit but couldn't make the trip include: my son, Sam, who is attending class at Harvard University as a sophomore; and my mother and father, James and Marjorie Southard; my sister, Sue Southard; and my brothers, James, Christopher, and Bruce Southard.

My goal, if confirmed by the Senate, will be to provide the best possible legal advice and counsel to the Secretary on the many challenging issues facing the Department of Agriculture. I look forward to working with USDA's strong professional legal career staff to achieve this goal and to a close working relationship with this committee.

I was born and grew up in the rural community of Hancock, Massachusetts. For much of my life there, Hancock had more cows than people. I was an active member of our local 4-H Club when I was growing up. I worked summers during college in a farm machinery business operated by one of my uncles, the father of my cousin, Donna. I went to Boston University on a full scholarship and then to Georgetown University Law Center here in the District.

I have spent my legal career as a practicing attorney. I began as a Government attorney first at the Department of Labor and then at the Department of Justice. In that capacity, I learned how to try cases, both civil and criminal, how to prepare and argue them on appeal, and how to work with the Solicitor General's office on Supreme Court cases. I learned how the Department of Justice functions at the working level and how it interacts with its client agencies. I learned the administrative and managerial aspects of running offices full of busy lawyers, including staffing and supervision of legal work, providing effective performance evaluations, managing resources so as to get the greatest possible value, and negotiating differences of opinion about the optimum legal strategy for particular matters.

I left Government service after 9 years to explore the opportunities of a Washington legal practice, joining Crowell & Moring in 1984. I built a successful environmental law practice at the firm in this highly competitive field. That practice has been a constantly

evolving one, as the breadth of what are considered environment law issues has continued to expand. I have worked on legislative initiatives with clients involving the reauthorization of the Federal pesticide law and in a number of Clean Air Act issues for nontraditional sources. During the past several years, I have developed an interdisciplinary practice in biotechnology and have represented clients working to secure approvals for innovative products at the Environmental Protection Agency.

When I look at the full spectrum of laws and programs which USDA administers, I see both a great challenge and a wonderful opportunity for the lawyer who becomes General Counsel at USDA under the leadership of Secretary Veneman.

I am keenly aware of the importance the Secretary has placed on ensuring USDA's compliance with civil rights and equal employment opportunity for everyone. I share the vision which the Secretary has expressed in our Civil Rights Policy Statement—consistent education and outreach to ensure civil rights are protected, our laws are enforced, and discrimination in any form is prevented. I will work to implement that vision.

I look forward very much, if confirmed, to serving my country as General Counsel at USDA in this administration, working for this Secretary, and with the highly professional OGC staff, and the committee.

Thank you, again, Mr. Chairman.

The CHAIRMAN. Thank you, Ms. Bryson, for your statement. Thank you for your willingness to serve.

I basically have just one question I would like to pose to you, and it would be something that I would think that we would want to followup on as we move ahead. You have written a somewhat critical article about the subject of judicial deference to agency decisionmaking, but particularly when it comes to agency decisions based on science or risk analysis. I understand that most of these articles dealt with rulemaking procedures at EPA, but as you know, USDA also frequently undertakes rulemaking proceedings in which science plays an important role particularly in the areas of food safety and protection of plant and animal health.

Could you briefly explain your views about the role that Federal agencies such as USDA have in making policy in the public interest based on science and risk assessment?

Ms. BRYSON. Certainly. The role of the Federal agencies is to adopt regulations which implement the laws which Congress passes and directs them to administer. Increasingly the agencies face very difficult scientific questions in which it is a challenge for non-scientists to understand what the issues are and how to address them in a way that makes the public feel that public safety is being protected and that there can be confidence in the products that enter the market and in the regulatory structures the agencies put in place to protect them.

Risk assessment is a critical aspect of being able to issue those kinds of regulations. There are many issues that relate to the science which require a basic level of certainty about the science. It can't be sufficient to meet the standards that the Supreme Court has set out in Daubert for causation and litigation. Certainly there has to be a vetting of the science and understanding of what it is

telling us and adoption of the appropriate responsive risk assessment regulation.

The CHAIRMAN. Ms. Bryson, can you assure us that you will effectively represent the Department in formal rulemaking and adjudicatory proceedings and work with the Department of Justice to effectively represent the Department in civil actions arising out of its administrative activities?

Ms. BRYSON. I will.

The CHAIRMAN. Thank you very much, Ms. Bryson.

Senator Lugar.

Senator LUGAR. Thank you, Mr. Chairman.

Ms. Bryson, you have an extraordinary record and a very good one and extensive experience in the Government of the United States. I am simply curious as to how you were nominated for this particular position with the Department of Agriculture, not that your experience at EPA would not be relevant, and the chairman has already led to that in his questions, or the Department of Justice, but there are obviously issues that are peculiar to the Department of Agriculture and the defense at least of that Department, the Secretary with whom you have indicated you wish to work, and activities of this committee.

Can you trace at least how you came into this situation? Is it a position that you sought? Did the administration seek you? Do you have a pretty good idea of the type of activities that your predecessor had to face, or your predecessors over, say, the last decade or so?

Ms. BRYSON. I was given a wonderful opportunity. That is why I am here, Senator. I was asked in August of this past year if I would be interested in being considered for this position. President Bush and Secretary Veneman had decided they wanted a candidate for General Counsel with a strong background in environment and natural resources because of the many issues in that field which face the Department.

I entered the door. I was recommended by a number of colleagues who I have encountered in the course of my career in Washington. I was very interested from the beginning simply because our agriculture and forestry resources are such an asset for us and will be so important in the coming century.

My interview actually with Secretary Veneman was scheduled for September 11th at 4 o'clock in the afternoon. It was rescheduled very quickly after that, but after September 11th, I wanted very much to be part of the administration and to serve my country in this capacity.

I have been the beneficiary of some wonderful briefings from the Office of General Counsel and the fine staff that exists there on the issues. I do at this point have a good sense of the range of issues which confront the Department across the board, in the regulatory programs, in the farm credit programs, in issues relating to competition in agriculture, certainly forestry and water rights. With the assistance and the wonderful team at OGC we're going to be in a position to provide very strong support to the Secretary.

Senator LUGAR. Well, I thank you for that response. I would just say that as you have wished this day to come, so have many of us to have the General Counsel before us and have an opportunity to

confirm this nomination, because it fulfills a very vital role for the Department. I wish you well, and I look forward to supporting your nomination.

Ms. BRYSON. Thank you, Senator.

The CHAIRMAN. Thank you, Senator Lugar.

Senator Baucus.

Senator BAUCUS. I wish you all well. These are not easy jobs. No job in Government today is easy. I appreciate your willingness to work in these various capacities.

A concern I have slightly is, in looking at your resumes, none of you has any experience between the Mississippi River and the Cascades, that is, the central heart of America in agriculture.

Ms. Bryson, you are Boston, DC Ms. Daniel, you are California.

Ms. DANIEL. Quite a large ag community.

Senator BAUCUS. I know, but it is a different kind of agriculture. It is totally different. Mr. Dailey, of Ohio, essentially as I read your resume.

I was slightly concerned listening to you, Ms. Bryson, because clearly we have laws and regulations and we are here to serve people, average, ordinary people. We have lots of laws and lots of regulations, and sometimes we get wrapped around the axle trying to figure out what the laws and regulations are and forgetting why they are there in the first place, just serving people, our employees—excuse me, our employers, your employers, my employers.

I am trying to figure out how I can encourage you to spend time in my part of America so it gets in your blood, so you feel it and taste it and smell it, and know what it is like to be out there on a farm, when a crop doesn't come in. I am talking about dryland farming, where it doesn't rain, or pulling a calf at 3 in the morning or just seeing how tough it is for producers—I am talking about grain producers and livestock producers—to make a living. It is extremely tough.

When we are thinking about rules and regulations and all that and getting briefed by OGC staff about all these various components, that is not what this is all about. This is about people, real live people in America.

How can you tell me—what can you tell me that can reassure me that you have a sense of that?

Ms. BRYSON. Well, Senator, one of the things that I did in private practice was work for about 4 years with a farmers co-op in Nebraska, the Central Nebraska Public Power Group, on relicensing of their hydroelectric facilities on the Platte River. I spent a lot of time in Nebraska. I went to Lake McConaughy with them to look at the hydro facilities. We worked with wildlife experts and the farmers to evaluate questions FERC and the Fish and Wildlife Service were asking about the impacts of farming around the Platte, on bald eagles, whooping cranes—it is a critical habitat for whooping cranes there, sandtail cranes—and came to have a very strong appreciation from my representation of these people about how issues that are created and sometimes decided in Washington affect people in their daily lives in the heartland of America.

Senator BAUCUS. I appreciate that. I would like you to come to Montana. Will you come to Montana?

Ms. BRYSON. Absolutely.

Senator BAUCUS. This year?

Ms. BRYSON. Absolutely.

Senator BAUCUS. OK. We will find a good visit, just to get around and get a sense of what is going on.

Ms. BRYSON. I would be delighted.

Senator BAUCUS. Thank you very much. I appreciate that. Good luck.

Ms. BRYSON. Thank you.

Senator BAUCUS. Thank you, Chairman.

The CHAIRMAN. Thank you very much, Senator.

Senator Allard.

Senator ALLARD. Thank you, Mr. Chairman.

I appreciate you coming by and visiting with me, Ms. Bryson. One of the things I want to get on the record is to see if you have taken time to understand water law as it applies to the West. This is a followup on questions asked by Senator Baucus. Water as it applies to natural resources, particularly forests and public lands, is a rising issue. In the West, there are fundamentally two sets of water laws that we deal with. The kind of water law that you get east of the Mississippi, which is a riparian water rights system. The system west of the Mississippi, which is used in the State of Colorado and throughout the West, is one of prior appropriation. There is actually a property right assigned and it is adjudicated at the State level. In other words, the Federal Government and the Congress have agreed that the primary role in controlling that water is with the State. I just want to get some assurance from you that you have taken time to understand Western water law, particularly the doctrine of prior appropriation, and if not, that you will take time to fully understand it.

Ms. BRYSON. Yes, Senator, I have since our discussion spent quite a bit of time looking into the water law issues and how they affect positions that the Forest Service takes in administering the national forest system. I am sure I need much more education, and——

Senator ALLARD. I would be glad to help you with that.

Ms. BRYSON. I will be glad to get—take all the help that I can get.

Senator ALLARD. If you don't mind a little consulting with a veterinarian.

[Laughter.]

Senator ALLARD. Specifically, one of the problems we have with the Forest Service in Colorado is concerned with ditches that run through the mountains that were there before the national forest was. The forest has a renews the permit for the ditch to go through, they have begun, instead of asking for a flat fee to renew the permit, to ask for a percentage of the water right, which then allows them to move in front of the State primacy in controlling how water is allocated in the State. We have seen this on the agricultural bill with what has been referred to as the Reid amendment. In this instance with CRP land, there is an allocation of water that may be allowed to the Federal Government which bypasses the State's primacy role in States where we have the doctrine of prior appropriation.

What has happened with these ditches is that they come back and ask for water. Each time you renew the permit, if you take a percentage of that water, pretty soon the farmer will be out of business. He was there relying on that water before the Forest Service established the land in question as a national forest. Many States view water as a property right. This action is viewed as a taking of private property.

I just hope that you look really closely at that particular issue because it does surface from time to time in Colorado and other States as well, Idaho, probably Montana, Wyoming, those of us that are in the Rocky Mountain region, certainly there are higher reaches of mountainous areas. This is probably an issue that you will be faced with. I would be surprised if you don't have a lot of issues coming up related to water, particularly in the West. I hope that you will take time to thoroughly understand water law and perhaps to have someone on your staff who is particularly knowledgeable in Western water law. It would also be nice to have someone, even yourself, to take the time to attend some of the courses that are offered in some of these States that discusses the uniqueness of the water law in Western States.

Thank you.

The CHAIRMAN. Thank you very much, Senator Allard.

That does not mean, however, Ms. Bryson, that you are now in charge of rain.

[Laughter.]

The CHAIRMAN. We thank you all very much. I compliment each and every one of you on your distinguished careers. We thank you for your willingness to serve this Nation in your various capacities. We look forward to working with you in the future.

With that, this panel will be dismissed, and we will bring up our next nominee. Thank you very much, all of you.

[The prepared statement of Ms. Bryson can be found in the appendix on page 99.]

The CHAIRMAN. The committee will now move to the consideration of Mr. Thomas Dorr, who has been nominated by the President to serve as Under Secretary of Agriculture for Rural Development. We would ask Mr. Dorr to please come to the witness table.

Mr. Dorr, before I recognize Senator Grassley and you for a statement, I would ask you the same question I have asked the other nominees. Mr. Dorr, do you agree to appear before any duly constituted committee of the U.S. Congress if asked?

Mr. DORR. I do.

The CHAIRMAN. Thank you. Again, I would ask you to rise and I will administer the oath. If you would raise your right hand.

Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. DORR. I do.

The CHAIRMAN. Thank you very much, Mr. Dorr.

Now I would recognize the senior senator from the State of Iowa, Senator Grassley. Senator Grassley, I certainly appreciate your being here this morning to introduce the nominee, and we recognize you at this time to make a statement.

STATEMENT OF HON. CHARLES E. GRASSLEY, A U.S. SENATOR FROM IOWA

Senator GRASSLEY. I thank you very much, Chairman Harkin, my colleague from Iowa, Senator Lugar, and everybody who is present for one of the most important positions in the U.S. Department of Agriculture, an opportunity for us from the State of Iowa, at least in Republican administrations to have the first person from Iowa this high up in the administration of agricultural policy and rural development policy since C.D. Lodwick of Weaver, Iowa served in this important position in the years of 1982, 1983, maybe 1981, 1982, 1983. It gives me a privilege then to nominate somebody that I feel is very qualified as C.D. Lodwick was qualified to lead in agricultural policy.

It is an opportunity for me to say that there is a void within the Department of Agriculture of people who represent the upper midwest, in a type of agriculture where family farms are so prominent compared to other areas of the United States, and that does not denigrate all the good people that are from other states, members of this committee like a prominent member for Indiana in the Agricultural Department, or prominent person from Mississippi in the Agriculture Department, and maybe a lot of other prominent people. I guess I look at this maybe in a parochial way, that somehow west of the Mississippi and from Missouri north, there is a little different view toward agricultural policy than there is in some parts of the United States, so it gives me an opportunity to say that this nomination fills a void that needs to be better represented in the Department of Agriculture.

I am pleased to introduce to you a fourth generation Iowan, whom President Bush has nominated to be Under Secretary for Rural Development at the Department of Agriculture. Rural Development is one of the most important mission areas in the U.S. Government, and particularly for my home State of Iowa, and I know that the Chairman shares my belief about the importance of rural development.

Rural Development programs benefit every State represented on this committee. It is critical for the health and well being of rural America that this mission area function efficiently. That is why I believe the President has made an excellent choice in nominating Tom Dorr to lead Rural Development.

As Under Secretary for Rural Development, Mr. Dorr will oversee efforts to improve the economy and quality of life for residents of communities across rural America. He will be in charge of programs which support essential public facilities, such as water and sewer systems, housing, health clinics, emergency service facilities, and electric and telephone service. He will also be responsible for supervising the U.S. Department of Agriculture's efforts of promoting economic development by supporting loans to businesses through banks and community-managed lending pools, and assisting producer cooperatives.

For these programs to function at their best, they need a manager who has a strong understanding of business, of finance, modern information technology as well as agriculture, and I believe that Tom Dorr has all this and more. The more is that he understands rural America because that is where he is from. Tom is not

from inside the beltway. He is not a lawyer. He is not an economist. He is not an old bureaucrat that claims to understand agriculture because they regulated lots of programs and talked to farmers and other folks from rural America.

He is from a farm near Marcus, Iowa. This is an individual that understands rural America because that is where he was raised. He has had dirt under his fingernails for decades. He knows what it means to be a farmer and to try and make a living and support a family in rural Iowa. He will bring extraordinary talent and experience to the Under Secretary's position from his work on the Board of Directors of the Federal Reserve Bank, to his success in helping to develop Heartland Care Center in Marcus, Iowa, a cooperative for senior citizens.

Whether it is big city relationships that he has established or whether the care of senior citizens in rural America, he brings a breadth of background to this job.

Now, I have noticed from newspaper articles that several organizations will be testifying against his nomination. Some of these, like the Iowa Citizens for Community Improvement, is a well-established organization, credible in their helping to improve lives in rural America. I have worked with them on many issues. Or there is a African-American group that represents farmers, who will be testifying. I have had an opportunity to work with that group as well on helping African-American farmers get legislation to sue the FSA because they did not get—because they were discriminated against. All I can say is, as these groups come to present their opposition, I would ask them to take into consideration that there are a lot of people who will be testifying as well, who know Tom personally, and I would ask the committee to give fair consideration to all these points of view.

I do not blame anybody who wants to testify in any particular position, but I hope that we will give primary consideration to those individuals who know Tom well, and so I am prepared now to make some references to these, a strong base of support that I know Tom has because they have worked with him. A number of these folks wrote to my colleague, Senator Harkin, who is Chairman of the committee, Senator Lugar as the ranking member. They also wrote to me. The reason I am mentioning these folks is because they have known Tom for years. They are his neighbors, coworkers, peers. These are folks not speculating about Tom. They know him and they know he will do a great job as Under Secretary.

Tim Burrick, a farmer from Arlington, Iowa, former president of the Iowa Corn Growers' Association, wrote, quote: "I know him personally, and I can attest that Tom is a good and decent man who values, not disparages, diversity in all its forms. I believe that you'll find his intentions and his views on diversity nothing short of honorable."

James Kersten, Chief Operating Officer, Heartland Communications, Fort Dodge, wrote, quote: "Mr. Dorr is very qualified for this position. I believe he will work hard to help Iowa and other rural States expand and diversify their economies."

David Cruz, President of Comstalk Investments from the little town of Royal, Iowa. Senator Harkin, this is the same person that wrote a very nice piece about you and I, that when we work to-

gether, things can get done for agriculture. Mr. Cruz wrote: "Tom Dorr is a worthy candidate for USDA Under Secretary. I encourage your support of the President by confirming his nominee."

Mike Hunter, President of the Cherokee State Bank; LeRoy Shone, Cherokee County Supervisor; Charles Sand, President of Sands of Iowa; Darryl Hawk, President of the Little Sioux Corn Processors; Darryl Downes, Mayor of Marcus; Ray Wetherall, Cherokee County Supervisor; Kenneth Olgren, President of Farmers State Bank, in a letter collectively signed, wrote: "We would like to request your efforts to get Tom Dorr confirmed as Under Secretary of Agriculture for Rural Development. We feel his leadership will not only benefit Cherokee County but all of rural Iowa."

Two more. Lee Cline, Chairman, National Corn Growers, has asked me to enter in this record, a strong statement in support of Tom, so if that is all right, Mr. Chairman, I would like to have that entered.

The CHAIRMAN. Without objection.

Senator GRASSLEY. There are many more, but I will conclude with only one more from Dr. William C. Hunter, the Senior Vice President and Director of Research of the Federal Reserve Bank. Dr. Hunter hoped to be here in person, but he states this in his letter. Quote: "I have known Tom for almost 7 years and have come to greatly respect and admire his dedication to the development of sound economic and agricultural policies. Tom was one of a handful of people to understand that while the adaption of technological advances in the farm sector would lift productivity to new levels, these same changes could also have adverse implications for the viability of the traditional family farm. In particular, he often expressed concern for the plight of the traditional family farm. Tom continually raised concerns about the lack of coherent plan for maintaining the viability of the small family farm. As an African-American," Mr. Hunter remarks, "I have never heard him offer disparaging remarks about people of color, the intrinsic value of diversity or about small farmers."

Before I give my closing paragraph, I just thought of Mr. Dorr's service on the Iowa Board of Regents, and in my 42 years of serving Iowa public office, both as legislator and as State legislator, Congressman and senator, you can measure the quality of people in the State of Iowa that serves on the Board of Regents. I speak, whether it is Governor Loveless, Governor Hughes, Governor Ray, Governor Branstad, or even now Governor Vilsack—so that is a range of Republicans and Democrats—people that serve on the Board of Regents only get there because they are outstanding leaders in their field, in public service, in civic duty, and also because they are well qualified to govern higher education in the State of Iowa, consequently our three universities.

In closing, I know that Tom has spoken to a few of the members of this committee personally. I hope those meetings went well. He is a qualified farmer from Iowa who wants to make a difference, and that is why I am here introducing him. I want more people like Tom, farmers from Iowa and other rural areas of America, to get involved in agriculture. That is why I pushed so hard to make sure that if we were not going to have a Secretary of Agriculture that could speak about having dirt under their fingernails, at least we

had deputies who had dirt under their fingernails before coming to these very important positions. People coming from the farm to leadership in the U.S. Department of Agriculture is very important for the preservation of the institution of the family farm in America agriculture.

This proposition serves us well to draw from family farmers, their knowledge and experience, because it is invaluable and it is impossible to duplicate. After you listen to Tom, I am confident that you will agree with the President's choice.

Thank you, Mr. Chairman.

[The prepared statement of Senator Grassley can be found in the appendix on page 88.]

The CHAIRMAN. Thank you, Senator Grassley.

Senator Baucus has to leave very shortly, and I will recognize him for a statement, but let me just begin this part of today's hearing by picking up I guess a little bit where Senator Grassley just left off, by saying that few nominees for senior positions at the Department of Agriculture have generated quite the degree of interest that we have seen here, and unfortunately, that is not really a positive thing either, one way or the other. Frankly, most nominees at USDA go through the committee without a lot of controversy.

Well, obviously, if you read the papers or read my mail, one would see that this one has been different, and frankly, I have been surprised by the level of opposition that has been expressed. I cannot say that I am happy about that, or the time that we now need to spend to appropriately and fairly consider this nomination. We are in the midst of the conference on the farm bill, and there are many, many other priorities that need our attention. However, I have said that we should fairly hear this matter, and that we plan to do so today or for as long as it takes. That is our responsibility and we will meet that responsibility.

Let me assure the candidate, as I did in a private meeting last week, and everyone else, that I have an open mind, and am assured that other members of this committee do also. There are issues that need to be explored, and concerns that need to be addressed. We will do so fairly and try to finish within a reasonable period of time. I expect, Mr. Dorr, that there will be a fair number of written followup questions, especially from members who told me they could not be present this morning, and before the committee moves to a business session to consider reporting the nomination, we will need to consider fully the information gathered at the hearing today along with any other information which is properly brought to the committee. Mr. Dorr, with that said, and before I recognize you, I would just recognize the Senator from Montana for a statement, because I know he has to leave.

STATEMENT OF HON. MAX BAUCUS, A U.S. SENATOR FROM MONTANA

Senator BAUCUS. Thank you very much, Mr. Chairman, and I thank my fellow colleagues for indulging here.

Mr. Dorr, I cannot tell you how important the position of Under Secretary of Rural Development is to the State of Montana. It is critical. There are people who have had that position in Washington and also in Montana, for example, who have helped breathe

economic growth into our State. I say this because I am very concerned about statements that have been attributed to you and people's reactions to your concept of agriculture. The statement that is attributed to you, is 1998, I guess the "New York Times", basically saying that you envision a Nation of 225,000 acre farm operations. I do not know if you said that or not, but at least that is in the papers. A little quick calculation shows that is a place of about 350 square miles. I know you have this concept of pods, and it is very technologically organized and computerized and so forth, which raises a whole other set of questions. I have to tell you, we do not have any places in Montana that large with the possible exception of Ted Turner, and he is not really a Montanan.

[Laughter.]

I say this because we are a State where agriculture is in dire straits and small towns are in dire straits. USDA Rural Development provides the infrastructure in many cases for small towns in rural America, towns under a population of 10,000, for example, water, sewage and so forth. If, unfortunately, your vision were to materialize, at least the vision as it has been represented, all of those small towns would die on the vine, and you will be working at cross purposes with your vision. Clearly it will not work. You cannot have both.

My real deep concern is you have this vision that is nearly, it is almost in your DNA, which you are going to be driving for, which is antithetical to rural America, antithetical to rural America. That is my worry. That is my concern.

Now, I know you will come back and say, "Well, gee, we are trying to liberate farmers so they do not go down the road of a lot of chicken producers and a lot of hog producers and maybe even some cow producers that are being taken over in a certain sense by the packing industry. I understand all that. Your vision, as I see it, is just the same anyway, because nobody would own his own place, very few will; rather they will be working for the people like you. They do not have their own place."

I say that also because that is the comments, like I say. Neil Harl has made comments to the fact that your concept is very unusual. I have a quote here. It says it creates a sector of serfs, very respected economist, Iowa State University.

I just wanted to say to you, this is not fair I have to leave, because you are not able to answer the questions I am posing, but I must leave, but if you are confirmed, Mr. Dorr, I want you to come out to my State of Montana, and I want you to walk around with those folks, and I want you to see how impossible it is, it is impossible, and it is wrong to pursue, quote, your vision.

Now, I appreciate that agriculture needs a lot more technology. We can have a lot more data. Whether it is weather, soil conditions, fertilizers and whatnot, I agree with all of that. Our farmers are doing it. Not in the grand scale that you are talking about which is so technical and so money driven, and it is so contrary to the lives that Montana farmers and ranchers want to lead, that is, having their own place and making a go of it. I am just deeply concerned that it is too focused on something you think makes too much sense. You probably made a lot of money doing it for yourself and your family, but it is not the American way of life for agri-

culture. I hope you think very seriously about that if you are confirmed.

Thank you, Chairman.

The CHAIRMAN. Thank you, Senator Baucus.

I recognized Senator Baucus because he does have to leave. My plan is to recognize Senator Lugar. I want to recognize Mr. Dorr for his opening statement, and then I know our distinguished Congresswoman Eva Clayton is here, and has been waiting to testify. I will recognize Senator Lugar for his comments, and then I will recognize you, Mr. Dorr, for a statement. I will dismiss you and I will bring up the panels, and we will recognize Congresswoman Clayton first off at that point.

Senator Lugar.

Senator LUGAR. Thank you, Mr. Chairman. I simply want to thank you for scheduling this hearing. It is very important that we hear from the nominee. I was impressed, and Congresswoman Clayton will make these comments, I suspect, in her statement, but she points out that farm income amounts to less than 3 percent of total rural personal income, and among farm families only 12 percent of total farm income comes from farming. This illustrates the reason why many of us in this committee, during markup and floor debate, were strongly in favor of much greater sums for rural development, and some specific program suggestions that have come forward in the farm bill that we have passed.

What I look forward to pointing out, Mr. Dorr, is your strategy for rural development in a comprehensive way. That is the position for which you have been nominated. It is an extraordinary priority of this committee and of the Senate as a whole as is spoken, and I look forward to that testimony.

I thank you, Mr. Chairman.

The CHAIRMAN. Thank you, senator.

Mr. Dorr, welcome to the committee, and please proceed with your opening statement.

STATEMENT OF THOMAS DORR, OF IOWA, TO BE UNDER SECRETARY FOR RURAL DEVELOPMENT FOR THE DEPARTMENT OF AGRICULTURE

Mr. DORR. Thank you, Mr. Chairman, Ranking Member Lugar. Senator Grassley, I am most appreciative of your kind and gracious introduction.

I am deeply honored by the nomination of the President to serve as Under Secretary for Rural Development. It is with a great deal of humility that I appear before you today in this confirmation process.

I am a farmer from Marcus, located in Northwest Iowa. My great grandfather, a German immigrant, was the first homesteader in Amherst Township in Cherokee County. Even today a single large tree marks the spot near the creek where he built his first sod home. As a fourth generation farmer, I operate a corn and soybean farm, a grain elevator and warehouse, and also finish swine in a business with other family members.

I am the second child and eldest son of a family of nine children. Only two of us, my brother John and I, remain in production agriculture. My father is deceased, and although my 80-year-old moth-

er, Margaret Dorr, would like to have been here, her health precludes that. However, without my parents' guidance, support and love, I would not be here today.

I would like to take just a moment to introduce my wife of over 30 years, Ann Dorr, our two children, our daughter Allison and her husband Karlton Kleiss of Des Moines, and our son, Andrew, sitting next to Ann, who is a student at the University of Iowa. I have a brother, Kurt, in the crowd also, who is from the Chicago area. Kurt is in the back.

Finally, I would like to introduce three other very close friends of mine who traveled here from Iowa to be with us today. One is Keith Heffernan from Des Moines, Iowa, Bob Engle, my banker from Marcus, Iowa, wanted to be sure he was here; and Rod Ogren, the Director of Economic Development from Marcus.

The CHAIRMAN. We welcome you all to the committee.

Mr. DORR. These friends, family members and many others, have supported me in the quest to maintain the family farm for nearly 30 years. The view that there is a special and unique synergism between the value of family and farms is not a myth. It is real. It is worth protecting and revitalizing. Farming is one of the very few endeavors in which those who labor realize that they truly do not control their own destinies, a higher order, God, or the forces of nature, however you may view it, created a particularly unique set of circumstances which make it necessary for farmers to develop relationships with their families and neighbors in order that they may survive.

My father and mother embodied this realization by their examples, of civic and community involvement. It was their philosophy that to whom much was given, much would be expected. Early in my career I was urged by my parents to be responsive to the needs of our community and agriculture.

After spending nearly 8 years attending college, serving in the military and working for an educational research organization, I returned to the family farm in 1972. At that time agriculture was viewed as dynamic and growing. We were going to feed the world.

In the mid 1970's I became actively involved in the Iowa Corn Growers Association, served on its Board of Directors, and worked hard to pass the first ever statewide corn check-off in the nation. Later I was elected by my peers to serve on both the Board of Directors and the Executive Committee of the National Corn Growers.

In addition to my agricultural service, I was nominated and confirmed to serve a 6-year term on the Iowa Board of Regents, and I served two 3-year terms on the Board of Directors of the Federal Reserve Bank of Chicago.

Of all my efforts in public service, those involving local issues have been perhaps the most meaningful to me. One such example is the successful development of the Heartland Care Center in Marcus. I helped organize and became the first president of that Board of Directors.

The Heartland Care Center project led to a successful community-wide effort, which resulted in the construction of a much needed 50-bed extended care and nursing home facility. It is significant because it helped maintain the viability of our rural community.

Instead of having to place elderly family members in facilities 15 or 20 miles from our community, their licensed home now allows our loved ones to remain near their families. In addition to solving this very personal need, it also created job opportunities within the community.

Significant changes are taking their toll on the rural landscape. Since the late 1980's two major events have had a dramatic effect on the structure of rural America, the development of the Internet and related technologies, and the growth of global competition. However, if we can determine how to treat these and other changes as opportunities, I believe it may be possible, it may be possible to revisit the dynamics of the early 1970's, the period which so effectively enticed Ann and me, and many more like us, back to the family farm.

Examples of these possibilities may involve focusing on how to conserve and utilize the natural resource base of this country. By developing ways to cost effectively generate renewable energy resources, improve water quality through farmer-owned filtration opportunities, or other yet unknown and undeveloped ways, we may have the potential to develop significant new income sources for America's farmers and ranchers.

These are just a few examples. The issue becomes how do we preserve the integrity of rural America for those who not only do the farming, but for those who support and share in the risks of living in rural areas? It is a difficult charge, one which all of us who love rural America and live in it, have struggled with for some time.

Hopefully, by working with you to explore these and other possibilities, our collective efforts will make them relevant, accessible, and profitable for rural America.

If confirmed, I look forward to working with each of you to make this rural rejuvenation, which all of us so desperately desire, a reality. Thank you for your consideration, and I look forward to your questions.

[The prepared statement of Mr. Dorr can be found in the appendix on page 101.]

The CHAIRMAN. Thank you, Mr. Dorr.

As I stated, we have a distinguished member of the House, and a senior member of the House Agriculture Committee here. I would ask you, Mr. Dorr, if you could please take a seat back. We will bring these panels to the table and then ask you to come back for a question and answer session at that time.

Mr. DORR. Thank you.

The CHAIRMAN. Thank you, Mr. Dorr.

I would like to bring the panel to the table. The first panel is the Honorable Eva Clayton, Congresswoman from North Carolina; Mr. Dennis Keeney of Ames, Iowa; Mr. George Naylor of Des Moines, on behalf of the Iowa Citizens for Community Improvement; and Mr. Leon Crump of East Point, Georgia on behalf of the Federation of Southern Cooperatives.

In consultation with Mr. Dorr last week, we asked who he would like to have testify on his behalf and after this panel, we will have a second panel with Mr. Ron Langston, Ms. Nancy Hier, Mr. Varel Bailey, Dr. Thomas Fretz and Dr. Constantine Curris.

That is how we will proceed, and then we will bring Mr. Dorr back to the witness table for further questions by the Senators.

Congresswoman Clayton, as a senior member of the House Agriculture Committee, we welcome you here. I apologize that you had to wait so long, and of course, we look forward to working with you to get a farm bill through as we meet in conference.

Congresswoman Clayton, again, welcome to the committee. Your statement will be made a part of the record in its entirety, and please proceed as you so desire.

STATEMENT OF HON. EVA CLAYTON, A REPRESENTATIVE IN CONGRESS FROM NORTH CAROLINA

Mrs. CLAYTON. Thank you, Mr. Chairman. Good morning, Chairman Harkin and Ranking Member Lugar and other members of the committee. I appreciate the invitation to appear before you today regarding the nomination of Thomas Dorr for Under Secretary for Rural Development at the Department of Agriculture. As you may know, I have long had a great interest in the topic of rural development, especially for under served and minority communities such as that I represent in the First District of North Carolina. With your consent, I ask that my entire statement and attached materials be entered into the record.

The CHAIRMAN. Without objection. Congresswoman, we are going to try to keep it to 5 minutes if we could, but obviously, I am going to give you as much time as you need.

Mrs. CLAYTON. I will try my very best.

I come before you today on behalf of almost 20 Members of the Congressional Black Caucus who wrote to you expressing deep concern regarding the proposed nomination of Thomas Dorr. I am glad you have called this hearing today to give Mr. Dorr an opportunity to explain some of his past statements and also to lay out his vision for rural development at USDA, particularly for under served and minority communities.

Mr. Dorr visited me earlier this week, and I was pleased to listen and discuss the issues raised here in my testimony. I shared with Mr. Dorr that my only knowledge of him were the insensitive and troubling remarks reported, and explanations would need to reach a very high bar indeed to overcome the hurdle that he placed for himself.

I would like to stress at the beginning though that this hearing ought not to be simply a referendum on Mr. Dorr's statements regarding economic development and ethnic diversity, though it should be a topic of discussion. Rather, this hearing must concern much larger issues, should be about the decline of rural America, it should be about the tremendously disadvantaged communities and rural areas throughout the country, about Mr. Dorr's vision for the resurrection and revitalization of these communities, and about his qualifications to do so.

Let me make no mistake about the importance of this task, for hundreds of communities across the country this is a matter of seriousness and urgency. I represent the First District of North Carolina. The First District of North Carolina is a majority black district, rural district in Eastern North Carolina. My district has been hit hard in recent years. Repeated hurricanes, loss of textile and

manufacturing jobs, and serious downturns in the agricultural economy, all have taken a serious toll on the communities I represent. The rural problem of which President Theodore Roosevelt spoke almost 100 years ago continues to exist in Eastern North Carolina. The administration and the Senate Agriculture Committee should consider carefully the extent to which this nominee for Under Secretary for Rural Development has the capacity, the creativity, and the energy to approach the tremendous challenge posed by struggling rural communities.

I would also like to stress the need of rural America to go far beyond agriculture. No one familiar with rural communities could fail to understand the critical importance of the agricultural economy for rural communities. The farm sector has long played an important role in the prosperity for rural families across America. Rural America does not end as the field's edge. In fact, statistics bear witness to the fact that we must think beyond the farm sector when working for the revitalization of rural America.

Today, farm income amounts to less than 3 percent of total rural personal income. Senator Lugar recognized that. Even among farm families, only 12 percent of the total farm income comes from farming, and in 1999, 90 percent of all farm operators' household income came from all farm sources. Given these statistics, it is surprising that Mr. Dorr's vision for rural America involves farms of over 200,000 acres and increasingly large and vertically integrated livestock operations.

Until we reinvigorate our rural communities and farm economy, we need someone with a commitment to support family farms as strongly as he supports big corporate farms, and who will recognize that simply increasing the scale of the farm economy will not be a panacea for the ills of rural America.

Thomas Dorr's preference for large-scale agriculture and his statements linking the lack of diversity with economic prosperity simply do not mesh with the mission of USDA Rural Development. USDA Rural Development Long-Range Plan 2000–2005 states that the program delivery depends on working in partnership with "small farm operators and organizations that represent small farm interests; minorities' organizations; and community-based and nonprofit organizations." End of quote.

I would now like to reference a letter from Members of the Congressional Black Caucus to the Senate Agriculture Committee leadership that is the impetus for my appearance here today. This letter enumerates quite clearly the issues that require serious examination by this committee.

The letter notes that Mr. Dorr's statement at an agricultural conference sponsored by our State university in December 1999, while I am aware that many here are familiar with these comments, I believe that they are worthy of noting, and I quote.

"And I know this is not at all the correct environment to say this, but you ought to perhaps go out and look at what you perceive the three most successful rural economic environments in this state...you'll notice when you get to looking at them that they are not particularly diverse, at least not ethnically diverse. They're very diverse in their economic growth, but they're very focused, uh, have been very non-diverse in their ethnic background and their

religious background and there's something there obviously that has enabled them to succeed very well."

That Mr. Dorr would make a comment such as this is puzzling at best, deeply offensive at worst. He did share with me in our conversation the context and how the remarks came to be made. I, for one, cannot help but wonder what the correct environment for such a comment would be.

However, it is imperative that we not simply look at this statement in isolation. These comments and the nomination of Mr. Dorr for the Under Secretary for Rural Development must be placed within a long history of civil rights discrimination and struggle at the Department of Agriculture. I would note, parenthetically, this has been acknowledged by you, the U.S. Senate, because you indeed included an Assistant Secretary for Civil Rights at USDA during the markup of a farm bill.

The civil rights abuses at the Department of Agriculture are well known. The consent decree of Pigford v. Glickman class action lawsuit by black farmers has led to the payments of hundreds of millions of dollars to farmers who have made it through the complicated settlement procedure. These settlements are just a fraction of the real cost to these farmers and their families have, and in most cases, continue to face.

The Congressional Black Caucus has endeavored for many years to rectify the Department of Agriculture bias against minority farmers, and to improve the capacity at USDA to work with minority and economically disadvantaged farmers. To confirm Mr. Dorr as the Under Secretary for Rural Development without a deeper understanding investigation into his sentiments regarding ethnic diversity, would send the message that the administration lacks an adequate commitment to civil rights and minority farmers.

I ask as well that the committee bear in mind the unfortunate fact that many of the poorest communities in our country, those most in need of rural development assistance, are rural communities of color, stretching from the Indian reservations of the Southwest, to Latino border communities, and across a deeply impoverished black belt of the Southeastern United States. The Under Secretary for Rural Development is charged above all else with working with these communities and supporting them in their own efforts to create sustainable livelihoods for their residents.

The intersection of race and poverty is not a coincidence, nor should it be incidental to this hearing. Disadvantaged rural communities throughout the country know what it means to be disregarded and ignored by economic development experts, by state officials, and by Federal programs. While this disregard may not be intentional or malicious, it is not less real and no less painful to those communities or their residents. While it is certainly not my intent to tar Mr. Dorr with the accusation of racism, I do urge the committee to remember that race and rural poverty go hand in hand. While there is certainly more than enough disadvantage in rural America to go around, and while I am all too aware that poverty knows no racial or ethnic boundaries, it is nonetheless the case that for communities of color, poverty is persistent, deeper and consistently more widespread.

In assessing the qualifications of Mr. Dorr for Under Secretary for Rural Development, I ask the Senate to step back and to look at the long history of discrimination of which I have spoken. The question before the committee should not, in my opinion, be whether Mr. Dorr's comments were in themselves unsettling enough to accept or reject his nomination. Rather, the question is whether or not the administration has brought to bear on the nomination the care that is necessary to ensure the eventual appointee is not just aware of this history of discrimination, but actively concerned about it.

Should the Senate confirm Mr. Dorr as the Under Secretary for Rural Development at the United States Department of Agriculture, I will work cooperatively with him and will continue to vigorously challenge him on these important issues facing rural America.

Thank you very much, Mr. Chairman.

[The prepared statement of Congresswoman Clayton can be found in the appendix on page 89.]

The CHAIRMAN. Congresswoman Clayton, thank you very much for your statement, for your patience in being here today. I know you are extremely busy, and if you have to leave, please do so.

Mrs. CLAYTON. Thank you.

The CHAIRMAN. We look forward again to working with you on the Conference Committee.

Mrs. CLAYTON. Thank you.

The CHAIRMAN. Thank you.

Now I would turn to the testimony of Mr. Dennis Keeney of Ames, Iowa, and I will start enforcing the 5-minute rule. We will permit statements of up to 5 minutes. At that time I am going to have to cut it off. The time is getting late. You certainly can understand that we would let the distinguished Congresswoman and others go on a bit longer than the 5 minutes.

We thank you for being here, and Mr. Keeney, your statement will be made a part of the record, and please proceed with your statement.

STATEMENT OF DENNIS KEENEY, AMES, IOWA

Mr. KEENEY. Thank you, Chairman Harkin and Mr. Lugar, for inviting me to talk in front of you and to the rest of the committee.

I am probably here because of my background in directing Leopold Center for Sustainable Agriculture. I directed the Center starting in 1988 and was the first permanent director of the center.

I would like to say that I have a high degree of respect for Tom Dorr and for his accomplishments, and so this is concerns that I want to share that we have interacted with on and off over the years I was director of the Center.

I first heard of Tom when I came from Wisconsin to take the Leopold Center position, and Tom was explained to me as one who was known as an innovator in agriculture technology especially at the large farm scale and was very skeptical of the sustainable ag. movement. This was 1988, remember, and certainly Tom was not alone in being skeptical of this particular movement.

I tried, through the auspices of Stan Johnson and Keith Heffernan, to find a common ground with his Tom, where his con-

cepts and the Leopold Center could possibly fit because I realized we should be working together if we could. It just never quite worked out. I believe our closest encounter was trying to get some work going in precision agriculture, but this technology really did not fit the Leopold Center mission, which was to try and get management skills that keep farmers on their land.

It was apparent early in my tenure that Tom Dorr was going to be a strong critic of the Leopold Center legislation. It is my belief that at that time Tom considered sustainable agriculture to be a step backward from modern agriculture technologies, and that he viewed the concerns that row crop farming was damaging the environment as misguided.

Tom's criticisms of the Leopold Center did not particularly concern me. In fact, I found his views were a good measure to use in our progress. Were there ways we could address the interest of those in Iowa who see agriculture more in terms of commodities and profits as opposed to others who see it in terms of communities and people? Mr. Dorr's sharpest criticisms of some of our work dealt with the sociology agenda of the Center and the College of Agriculture, particularly the use of surveys to find out what was going on in agriculture.

Mr. Dorr's generally critical but hands-off attitude toward me and the Center changed about the time he became a member of the Board of Regents. At that time he was strongly questioning many things we had under way, especially our work in nitrogen management and my leadership of a Certified Crop Advisor Program. I would have welcomed more discussion of our difficulties, but again we never seemed to reach a common ground on this.

Instead at times Tom used his influence to question us negatively in public and in private. It was not a pleasant time because of his status as a regent.

We continued to invite Tom to the Leopold Center advisors board meetings, give him specific notice of our agendas, mainly because he was on the agriculture Regent at that time. He did attend several meetings, and at times offered some discussions. There was nothing particularly negative in the inputs that Tom had to these meetings.

I can only give a very general impression of how Tom might perform in the role he is being asked to fill. I do not see him as a leader for rural development issues except as they might pertain to large business and farming groups, and it would be hard for me to see him relating to the needs of people who are trying to stay on the land and face financial adversity, or citizens who are in need of help because they have not had the opportunity to share in the financial gains of our country over the past 20 years. Perhaps Tom has or is changing his views. That we will hear from him I am sure. If he is confirmed, I would hope that he listens well to those who so badly need the assistance of the Government to improve their quality of life.

Thank you for this opportunity.

[The prepared statement of Mr. Keeney can be found in the appendix on page 104.]

The CHAIRMAN. Thank you, Mr. Keeney.

Before we question our panel, we will now move on to the testimony of Mr. George Naylor from the National Farm Action Campaign. We have your statement, Mr. Naylor, and it will be made a part of the record in its entirety. Please proceed.

STATEMENT OF GEORGE NAYLOR, STEERING COMMITTEE MEMBER OF THE NATIONAL FARM ACTION CAMPAIGN, APPEARING ON BEHALF OF THE IOWA CITIZENS FOR COMMUNITY IMPROVEMENT, DES MOINES, IOWA

Mr. NAYLOR. I would like to thank Senator Harkin, Senator Lugar, and the committee for inviting me to testify. My name is George Naylor. I farm with my wife and two sons near Churdan, Iowa. Senator Harkin has been my representative, first in the House and now in the Senate, for the full 25 years that I have farmed, and I want to thank him for his good representation. I would also like to say hello to Senator Grassley and thank him for his good representation also. I appear here as a member of the nonpartisan group, Iowa Citizens for Community Improvement, and as a steering committee member of the National Farm Action Campaign, the group that has spearheaded national opposition to Thomas Dorr's confirmation.

I appear today to ask you to reject the nomination of Thomas Dorr as Under Secretary of Development of the USDA. Widespread opposition to this nominee has grown as America has become aware of Thomas Dorr's disastrous vision of the future of rural America and his reprehensible views of equating economic success with a lack of religious and ethnic diversity. 165 groups signed a letter to the Senate Agriculture Committee opposing Mr. Dorr's nomination. Some of those groups were the American Corn Growers Association, the Sierra Club, Defenders of Wildlife, Humane Society of the USA, the NAACP, La Raza, LULAC, AFGE and the United Farm Workers.

I urge you to read the supporting documents attached to my written testimony, and ask that they be included in the official record.

Our member organizations believe that the family farm is one of the Nation's most precious but misunderstood institutions. The family farm is not merely a nostalgic artifact from the past. It is the foundation of modern sustainable economy in the 21st century. Family farmers have provided a safe and reliable food supply while serving as a backbone of rural economic development. Family farmers represent personal initiative and personal responsibility. When family farmers do something right or wrong, you know who is responsible. Because family farmers want to pass their land on to the next generation, we have the irreplaceable incentive to serve as good stewards of the land and water without the necessity of costly regulations or incentives.

It is important to contrast this tried and true institution with the corporate industrialized model of agriculture that increasingly invades our neighborhoods. Absentee landownership, contract farming and polluting animal factories are rapidly bringing blight to our beloved landscape. Absentee investors take profits out of the community while vulnerable immigrant labor languishes in poverty. Property values decline, family farmers leave the land, and small

communities lose their schools, grocery stores, and churches and health care. It should be clear to all that corporate industrialized agriculture is not compatible in any shape or form with healthy, vibrant rural communities.

However, Thomas Dorr's publicly touted vision of the future of American agriculture embraces that corporate industrial agriculture. It is clear that his mega-farm folly would clearly not buy inputs locally resulting in the closure of businesses up and down Main Street. Tom Dorr may say that farm consolidation is inevitable and that we can make it a good outcome for family farmers in rural communities. Well, I have heard that story before. 23 years ago I served on the Iowa Corn Promotion Board, where I heard the same hollow promises from the National Corn Growers Association. They said just wait for exports to bring corn prices up, and in the meantime get bigger and more efficient. My organization's hog farmer members heard the same thing from the National Pork Producers Council, while polluting vertically integrated operations nearly took over hog production.

Given the economic distress in rural America, why should Tom Dorr and these organizations have any credibility at all?

One of the strengths of American agriculture is diversity of techniques and the supporting economic institutions, from banks to suppliers, veterinary clinics and repair shops. This diversity and the economic development associated with it would disappear.

The growing conformity of production techniques would make our food system more brittle and subject to catastrophic mistakes. Does anyone really believe that huge centrally managed farms, where farmers become serfs on the land, fits with the American dream?

In an April 8th article of 2001, in the "Des Moines Register" Jennifer Dukes Lee said that, quote, "In his hometown, farmers call Tom Dorr the poster boy of corporate agriculture." One Republican farmer, who has known Tom Dorr since he was a child, is quoted as saying, "He would be very counter to rural development unless you would consider that rural development is one farmer in every county." At a conference at Iowa State University he joked that because of his views, he was the pariah of Marcus, Iowa.

I see that my time is running out, and I would like to beg for a little more time, considering the bombshell that came this morning in the "Des Moines Register", and I will leave some of the other issues to my colleague, Mr. Crump, here.

Iowa CCI filed a lawsuit, and because our Freedom of Information Act request for information about an alleged incident where Mr. Dorr received payments from FSA that he was not eligible for, and it turns out that according to the "Des Moines Register" this morning, that what we suspected is in fact the case. In the "Des Moines Register" article it says that Thomas Dorr arranged his trust, allegedly arranged his family trust, and quote, "are operated with ASCS to quite frankly avoid minimum payment limitations." This was in a transcript of a tape recording that Mr. Dorr was having with someone else.

The CHAIRMAN. Mr. Naylor, I am going to have to cut you off. I assure you that the committee members have copies of that article.

Mr. NAYLOR. OK. Well, in conclusion, I would ask that this committee take this breach of integrity seriously, and therefore, and for all the other reasons also, oppose this nomination. Thank you.

[The prepared statement of Mr. Naylor can be found in the appendix on page 106.]

The CHAIRMAN. Thank you, Mr. Naylor. I do have some other letters that have come from other groups, and those will be made part of the record.

The CHAIRMAN. Next we turn to Leon Crump of the Federation of Southern Cooperatives and Land Assistance Fund.

Mr. Crump, your statement will be made a part of the record, and again, please proceed for 5 minutes. Thank you.

STATEMENT OF LEON CRUMP, ON BEHALF OF THE FEDERATION OF SOUTHERN COOPERATIVES/LAND ASSISTANCE FUND, EAST POINT, GEORGIA

Mr. CRUMP. Thank you, sir. I also brought a petition that we had signed at a Georgia meeting with over a hundred signatures, over 200 signatures. I would like to be added part of the record to oppose to Mr. Dorr.

The CHAIRMAN. Without objection.

[The petition can be found in the appendix on page 277.]

Mr. CRUMP. Thank you so much for having me and giving me this opportunity. No one would think that a son of a sharecropper would have an opportunity to speak before members of the Senate Ag Committee.

My brothers and I were directly affected by USDA. In 1985 I spoke to a House Subcommittee about Ag. credit problems through USDA because my brother and I had a farm at the time. We raised hogs and vegetables. They sold our farm on the courthouse steps while they had somebody there pushing up the price. Now I rent land to farm, and my brother since died in 1997. I have personal experience with the USDA and some of the problems that they deal with.

They also talked about bringing beginning farmers into agriculture. Our Government makes loans every day to countries with no interest for a period of time before the first payment come due. They can also do that for minority and small farmers. Let me get to my statement, the reason I am here.

The Federation of Southern Cooperatives has been around for 35 years. We work with farmers in rural communities. We are licensed to do work in 16 Southern States. We have over 100 cooperatives. We work with 10,000 black farmers, 75 cooperatives, and 35 of those are agricultural cooperatives. We have 17 credit unions as well with $24 million in assets, and made $72 million in loans. Under the Rural Housing Program we develop 350 rural housing units and built 126 multi-family units. We have been utilizing the Rural Development programs quite well.

I do not want to take up most of my time. You can read part of my statement there, especially when you get to the third page, you will see some of the list of loans that we have processed, starting with $2.8 million down to $500,000.

The point I want to make right here is this last page, and I will be through. The above are just some examples of the essential pro-

grams being offered under USDA Rural Development Agency, and the difference it has made in the black community in the rural South.

We are very concerned that these successful initiatives will be jeopardized by the appointment of Thomas Dorr to serve as Under Secretary for Rural Development. This huge agency has enormous responsibilities for setting the tone for the development in rural America. Whoever serves as head of this agency must understand the needs of rural America, its unique diversity in terms of minorities, religion and cultures, and that the strength of rural communities demand local control self help, diverse entities that develop and foster wealth and sustainability.

Tom Dorr is not qualified to serve as head of this important agency. He has stated that North Carolina, with its hog factory farms should be demolished for development. He supports then corporate control highly concentrated agriculture, rather than family farms which have been the backbone of American development and food safety. He is noted for saying that companies are economically strong if they are not diverse in terms of race, religion and culture. His understanding then and appreciation of the needs of low-income and diverse communities across rural America are highly questionable and of concern to family farmers and the minority community everywhere.

We urge the Senate not to confirm Thomas Dorr. The work of Rural Development is far too important to communities across rural America to have as its head someone without an appreciation for the needs of our diverse population and for small family farmers, and small landowners and business owners in general. In fact, there are those who will, at this testimony, refer at length to the devastating impact to rural communities because of increased concentration of agriculture.

It is well known that the best stewards of the land are small family farmers. They have a vested interest in their major resources, land and water systems. Small farmers live on the land. They are witness to the daily necessities of production agriculture, and they will protect their land and water resources that they have always done in the long term. As most black farmers and small family farmers, the impact of forcing most of them off the land because of factory farm agriculture, the most disruptive and destabilizing of the rural areas; where else can small black farmers who are forced off the land go to but the urban areas where their valuable skills as farmers cannot be utilized. The best investment that could be made by our country for our economy and food safety is to assist in the development of sustainable black and minority farmers, and in fact, all family farmers. Often because of racism and discrimination, small businesses in the banking world, opportunities for minority communities is not available regarding loans, obtaining loans from commercial lending institutions, technical assistance to access business opportunities.

The Rural Development Agency has often made a difference for these minority communities. We must continue with this important program and continue to build sustainability in our diverse and rural communities. Dorr is clearly not the person who can lead the agency in this direction. His corporate control mentality is not

what we need. If he is appointed, then all the decisions of rural communities and development will probably be made similar to the devastating corporate decisions from the likes of Enron, without any input from family farmers who understand the needs of the rural areas. Our rural development needs and food safety are far too important to be—too important and too valuable to be handed over to irresponsible short-term corporate greed.

Thank you.

[The prepared statement of Mr. Crump can be found in the appendix on page 124.]

The CHAIRMAN. Thank you for your statement.

I thank all the witnesses for being here. I ask you to stand by because we may have some further questions for you, but at this time, we will dismiss this panel and bring up another panel. If you would stay here, we would certainly appreciate that.

I call to the panel Mr. Ron Langston, Ms. Nancy Hier, Mr. Varel Bailey, Dr. Thomas Fretz, and Dr. Constantine Curris.

Senator LUGAR. Mr. Chairman.

The CHAIRMAN. I am sorry. Senator Lugar.

Senator LUGAR. Mr. Chairman, in this interval, may I introduce into the record a number of letters and statements from neighbors of Tom Dorr or his former colleagues, who wished to testify, but could not be here today?

The CHAIRMAN. Without objection, they will be made a part of the record.

Senator LUGAR. I thank the Chair.

The CHAIRMAN. We wil proceed in the order in which I called the names, and again, you will observe the 5-minute rule. Your statements will be made a part of the record in their entirety, and I would start first and welcome Mr. Ron Langston, National Director, Minority Business Development Agency, U.S. Department of Commerce.

RONALD N. LANGSTON, NATIONAL DIRECTOR, MINORITY BUSINESS DEVELOPMENT AGENCY, U.S. DEPARTMENT OF COMMERCE, WASHINGTON, DC

Mr. LANGSTON. Good morning. Mr. Chairman, it is good to see you again. Senator Lugar, Senator Grassley, who was here, and I am sure will be back, members of the committee:

I am very appreciative for the opportunity to appear before the distinguished committee. I am here to support the nominee for Under Secretary for Rural Development, Tom Dorr of Iowa. My appearance is not a coincidence. I asked for this opportunity and the privilege to support a fellow Iowan. I believe Tom Dorr will follow in the rich legacy of other Iowans who have served this Nation, and in particular, those who have been leaders in U.S. and global agriculture.

Tom Dorr and I have much in common. We both have roots in Northwest Iowa. We have lived among the diversity of the Iowa plains, a diversity that includes the Dutch, the Germans, the Irish, Native Iowa Tribes, Latinos, and yes, a historically vibrant Iowa African-American community.

Mr. Chairman, I dare say that I am probably one of the few individuals present today, and certainly in this room, who is African-

American, and has actually lived in Northwest Iowa. I have benefited from the educational system in Iowa and the warmth and openness of its rich prairie culture. It has been good to me, Senator, and it has been good to my family.

I have served in the Legislative Service Bureau for the Iowa General Assembly. I have also worked as a legislative assistant in this body for Senator Roger Jepsen. I am a former chair of the Iowa Commission on the Status of African-Americans. I served as a State Transportation Commissioner. Early in my career, I was active in the Iowa-Nebraska NAACP and also at the Des Moines branch at NAACP. I am a member of the African Methodist Episcopal Church. I am also in good standing with Omega Psi Phi Fraternity. I am a contributor to a book, "Outside In, a History of African Americans in Iowa." I am here today in my capacity as an appointee of the President of the United States within the Department of Commerce.

Now, I have noted all of the above for the record, because it is important to convey to this committee and to the Senate that if I believed for 1 second that Tom Dorr was of a mind of behavior that was contrary to the social, economic and political upward mobility toward people of color, and especially African-Americans, I would not be here today speaking on behalf of his appointment.

The fact is, Senator and members of the committee, I need Tom Dorr. I need him to help me address issues of minority business enterprise in under developed areas in rural America, especially in the deep South. I need this relationship with the Under Secretary of Rural Development to strategically collaborate with the Minority Business Development Agency in areas such as the Black Delta Region of the U.S. MBDA is an organization in the process of transformation from an administrative focused organization to an entrepreneurial one. We believe in entrepreneurship. We believe in an entrepreneur economy. Agriculture is a major segment of the Nation's entrepreneurial foundation.

There are great synergies between Agriculture and the Department of Commerce, Labor and HUD. There is much we can do together to bring technology, e-commerce and infrastructure to America's rural communities. I am very excited about the Department of Agriculture and Department of Commerce working together to provide value-added opportunities for the National Minority Business Enterprise community.

Finally, sir, I look forward to also reaching out to America's historically black colleges and universities, in partnership with Tom Dorr and the team at Department of Agriculture.

For the reasons I have noted above, I would ask you, this committee, and the U.S. Senate, to support the nomine. I thank you very much.

[The prepared statement of Mr. Langston can be found in the appendix on page 115.]

The CHAIRMAN. Thank you, Ron, for your statement. It is good to see you again.

Mr. LANGSTON. Good to see you, sir.

The CHAIRMAN. Next we would recognize Ms. Nancy Hier. Did I pronounce that right?

Ms. HIER. Correct, thank you.

The CHAIRMAN. Of Marcus, Iowa. Again, we have your statement. We will make it a part of the record, and welcome and please proceed.

STATEMENT OF NANCY HIER, MARCUS, IOWA

Ms. HIER. Thank you. Mr. Chairman, members of the Agriculture Committee, guests.

I, Nancy Hier, live in Tom's home community. I have known Tom as a student, a business man and a farmer. Of more importance in my being able to attest to the true character of Tom, is the fact that there has been a longstanding respect and friendship between my family and the Dorr family. Three generations ago they were immigrants who plowed virgin soil and helped develop a community. My father became involved in a number of farm organizations that affected farm policy locally and nationally. At the height of the Depression, Henry Wallace called several to Washington to write the first USDA farm program. My father was one of those, of that group of 25. Here is a citation by President Lyndon Johnson, commemorating the 35th anniversary of that original Agricultural Adjustment Act of 1933.

Thereafter, I remember discussions between Tom's father and mine at the kitchen table out at our farm. There was mutual respect for the vision, the hard work, the capacity to expedite ideas to fruition. The fourth generation is now finding time to exchange ideas and challenge their thinking.

All this is to say that I know Tom, I know from where he comes. His judgment is based on sound moral principles. His christian ethic overrides all considerations. He has recently devoted considerable leadership and time to our local church, and after he moved to Washington, he said that he missed his church family more than any other group.

Family is foremost in Tom's perspective of a stable community. His concern is exemplified by not only the unity and success within his own home, but in the character of his own children, who are reaching out to serve others. When he accepted his proposed appointment to Washington, it was necessary to change his farm operation. As he made preparations for these changes, the welfare of his employees was dominant. All effort was made to accommodate their needs. As Under Secretary he will strive to protect not only the business aspect of the smaller farm, but also of the coveted lifestyle.

Tom is a man who possesses great energy of purpose. He will strive to formulate innovative solutions to the problems facing the small, as well as the large operator. His work ethic will be directed toward serving the cause of agriculture, not toward enhancing his political career. He will commit to extensive homework and then defend his stance, but he will concede his opinion if shown to be in error.

I believe that the initial newspaper article that got so many misleading ideas into the public mindset, wasn't due to a desire to derail Tom's nomination. When you go into a small rural community unannounced in the middle of the afternoon, you are not going to find certain men. You are only going to find certain men at the coffee shop. An entirely different group is out doing the cattle chores

and vaccinating piglets and auguring soybeans into the truck for sale. They did not get interviewed, and those of us who know Tom did not recognize him from the article. To suggest that he is a racist is to deny his philosophy of life. He has been wrongly accused of intolerance because his comments concerning diversity were taken out of context. He applied statistical facts, hitherto unused criteria, to measure economic success. To his credit, Tom applied innovative ideas in making his assessment. Besides, just last Christmas I was part of a discussion that was held some distance from Marcus. Participants reported Tom's suggestion that a nearby county bring ethnic diversity to their labor force in order to enhance their economy. You see, many understand that he has no racial prejudice.

Spring is coming, and he will very well remember the feel of the soil under his feet, the aroma, the eye on the weather, the hope, and the spring rush. With resolve, he will work hard to sustain and enhance rural development.

Thank you.

[The prepared statement of Ms. Hier can be found in the appendix on page 118.]

The CHAIRMAN. Ms. Hier, thank you very much for a very eloquent statement.

Senator LUGAR. That was very eloquent.

The CHAIRMAN. Very eloquent statement.

Next we turn to Varel Bailey, who is no stranger to this committee. He has been here in the past many times, Varel, from Iowa. Again we have your statement, Varel, and it will be made a part of the record, and please proceed.

STATEMENT OF VAREL G. BAILEY, FORMER CHAIRMAN, NATIONAL CORN GROWERS, ANITA IOWA

Mr. BAILEY. Mr. Chairman, members of the committee, ladies and gentlemen, thank you for this opportunity.

I appear in support of the nomination of Thomas Dorr, USDA Under Secretary for Rural Development.

I am Varel Bailey, farmer from Anita, Iowa. My son Scott and wife Jackie and I operate a corn, soybean, grass, cattle, hog and sheep operation, and I really regret that Senator Baucus departed, because I am the farmer employee. The night before last I midwifed quadruplet lambs. It is great to be here in these surroundings today.

Tom and I have worked together since the mid 1970's. We were part of a group of farmers that worked to make the National Corn Growers a federation of State associations. That group of farmers went on to lobby for check-off legislation, passed the corn referendum, as was mentioned, and that effort created the first major push for what was called "gasohol" back then, that resulted in the alcohol fuels industry that we have today. Tom's skills really came to the front during the 1980 grain embargo, as the Corn Growers Association struggled to find policy solutions for market chaos that the embargo created. This was followed by policy development work and lobbying for the 1985 farm legislation and the 1980's farm financial crisis, and I might add here that we worked on some of the early work on Farmer MAC, as we thought that there were things

missing in the farm financial arena at that time. We worked on the corn gluten feed export disputes with the European communities, Spain and Portugal entrance into EC and preparations for the Uruguay Round of the GATT. Tom went, as has been mentioned, to serve on the Iowa Board of Regents and served the midwest on the Chicago Federal Reserve Bank Board of Directors. Just three months after the fall of the Iron Curtain, Tom participated in a delegation to Hungary, Czechoslovakia, Poland and East Germany. The delegation worked on agriculture, education and humanitarian issues and resulted in the formation of the Iowa International Development Foundation.

Working with Tom over these years on many projects, I have found that he has many attributes that suit him for the Under Secretary of Rural Development position. He is smart. He is intellectually smart and he is street smart. After a conversation with him, it is obvious that he is a voracious reader and stays at the cutting edge of technology and of human thought.

He is visionary. His ability to conceptualize accumulated nuances into expected trends and goals is uncanny. Tom was one of the first to identify the forces that are causing the crumbling of agriculture infrastructure today. Tom couples this with modern technologies, enabling a quantum increase in the span of management. The result is a potential concept for a new food and fiber supply chain. Some perceive this as advocacy for huge corporate farms to the detriment of family farms.

To the contrary. I value Tom's articulation of these concepts, because it gives my family farm time to reorganize as these new supply chains form. My farm can grow vertically and capture value in these new supply chains, instead of continuously just competing with my neighbors for more land. The ever-increasing overhead costs of business require that my farm lower costs, increase the margin per unit of production, or increase in size to spread those costs in order to survive. Those increasing costs are not likely to abate. Early participation in farming supply chains is very important to my farm.

I actually participate in a number of rural development operations in Southwest Iowa, but it is more important to talk about Tom's attributes here than it is to talk about those initiatives that are happening today.

He is energetic. Faced with a challenge, his enthusiasm is contagious. During the 1980 grain embargo debate, the spectrum of emotion within the group ranged from utter despair to visceral anger. It was Tom who helped rally the troops and show that only three things are needed to change the course of human events. You need a crisis, access to the people who must solve the crisis, and a plan of action to help the situation. The Corn Grower developed a 14-point plan, carried it to Washington, and by lobbying, achieved adoption of 12 of those points.

He is analytical. His knack for figuring out the drivers of change and sorting out the optimal alternative solution is appreciated by all that work with him. Whether the policy debate was on the payment-in-kind, export enhancements, Spain and Portugal entrance into EC or the marketing loan programs, Tom's analyses were important for refinements to make them work.

He is articulate. His oratory during policy development debates that makes the point, lists the reasons, and negates the alternatives, is legendary to all who know him.

He has financial prowess. Watching him look at a business plan, rough out a rate of return and estimate the various leverages is a skill not held by many people. His ability to ferret out the inbred boards of directors, incompetent management and unwise relationships that leave all the profits on the table have helped many startup businesses in his area. He understands the land/labor/capital relationship. He knows just having financial capital may not make the project succeed. A combination of money, technology, human capital and social capital must come together in the right combination to make rural development work. He understands the easiest way to kill social capital is make a Federal grant.

He has a set of skills of a chief executive officer. Most farmers have management skill levels of a plant manager. Tom definitely has executive level management skills.

He is sensitive. He is aware of the feelings of people around him and goes the extra steps to be inclusive. If he seems abrasive, it is calculated to cause a person or group to rethink their position. He is very aware of the plight of rural America. He has lived and farmed through the economic, social and political decline. The difference between Tom and most other people, that he steps up and tries to help. If a small town needs a nursing home, he rallies the people to make it happen. If technology is not getting out of the university laboratories for businesses to use, he serves on the Board of Regents and the Wallace Technology Transfer Foundation. If rural banks are abandoning their customers, he serves on the Federal Reserve Board. If he finds a farmer in post-Communist Poland that needs sweet corn processing and communications capability, he finds used equipment and helps start a new industry in Poland. If he finds a community in East Germany that has no medical service, he helps get medicine to those people. If he seen an opportunity to enhance the way USDA Rural Development programs stimulate new and economic opportunity, he steps up and offers his service as the Under Secretary for Rural Development.

Mr. Chairman, members of the committee, ladies and gentlemen, I can think of no better person qualified than Thomas Dorr to be USDA Under Secretary of Rural Development. I urge his endorsement of his nomination. I yield to questions.

[The prepared statement of Mr. Bailey can be found in the appendix on page 120.]

The CHAIRMAN. Mr. Bailey, thank you very much for your statement.

Now we will turn to Dr. Thomas Fretz, Dean and Director of the College of Agriculture and Natural Resources at the University of Maryland, and your statement will be made a part of the record.

STATEMENT OF THOMAS A. FRETZ, DEAN AND DIRECTOR, COLLEGE OF AGRICULTURE AND NATURAL RESOURCES, UNIVERSITY OF MARYLAND, COLLEGE PARK, MARYLAND

Mr. FRETZ. Thank you. Mr. Chairman, Senator Lugar, members of the committee. I appreciate this opportunity to be here today. My name is Thomas Fretz. I currently serve as Dean of the College

of Agriculture and Natural Resources at the University of Maryland, and the Director of Maryland Cooperative Extension.

I appear before you today because I am pleased to support the nomination of Thomas Dorr as Under Secretary for Rural Development as USDA.

I was asked to come before you and appear today, when it was learned that there was some opposition that was growing out of the comments which were made at a Visionaries Conference at Iowa State University in November 1999. I suggest to you today that perhaps there are only two people in this room that were present in that conference, and that sat through that entire conference, and it was Thomas Dorr and myself.

The Visionaries Conference arose as a result, Chairman Harkin, of an anonymous and enormous gift that came to Iowa State University and the University was struggling, as was the College of Agriculture at Iowa State and the Department of Agronomy, on how to best access and use that gift to really make a difference.

I participated and I chaired a panel of visionaries that were brought to Ames, Iowa to think out of the box and to provide guidance and a vision for the faculty. You should know by way of background the reason that I was asked to participate in that conference and the reason that I was asked to chair the panel of visionaries was that I had served for 5 years as the Associate Dean of the College of Agriculture and Associate Director of the Iowa Agriculture and Home Economics Experiment Station at Ames.

More to the point and to the allegations that Mr. Tom Dorr made comments that were not supportive of an ethnically diverse society and environment, I feel they are unfounded, they are totally unfounded. I observed nothing in Mr. Dorr's comments during the 1999 Visionaries Conference, nor subsequently in reviewing the tape of the conference, that would lead me to believe that he is unsupportive in any fashion of the creation of a diverse economy. Mr. Dorr simply stated in a panel in response to a comment that had come from the floor at that meeting, that many of these funds and programs should be put into place that would create a more diverse society. He simply stated what I believe was the obvious, that there are communities that are not ethnically diverse, but are economically viable.

I believe we all favor a diverse multicultural society. I do not think there is anybody here that does not suggest that. I am confident that Mr. Dorr believes the same. To infer otherwise I believe is to misconstrue the facts and the evidence—the facts as they were at the Visionaries Conference in November 1999. He simply stated the reality, that many rural communities lack diversity, yet remain economically viable. To make or construe anything else from his comments is to take them out of context. That is a misrepresentation of the facts and the events of November 1999.

Let me close by saying that what I believe Tom Dorr brings to the Office of the Under Secretary for Rural Development at USDA is out-of-the-box thinking. He challenges the norm. He challenges the bureaucratic normalcy which exists within agencies, and I believe he looks for finding imaginative solutions to the issues that we face in rural America.

This concludes my testimony, and I stand here today in support of Mr. Dorr. Thank you.

[The prepared statement of Mr. Fretz can be found in the appendix on page 122.]

The CHAIRMAN. Thank you very much, Dr. Fretz.

Now we turn to the statement of Dr. Constantine Curris with the American Association of State Colleges and Universities, former head of the University of Northern Iowa. Welcome, Dr. Curris, and your statement will also be made a part of the record.

STATEMENT OF CONSTANTINE CURRIS, PRESIDENT, AMERICAN ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES, CHEVY CHASE, MARYLAND

Mr. CURRIS. Senator Harkin, Senator Lugar, Senator Stabenow, Senator Dayton, it is an honor to appear before this committee, and I am pleased to be part of a group that recommends the confirmation of Thomas Dorr.

I met Tom Dorr in 1991 when I served as President of the University of Northern Iowa, and he served on the State Board of Regents. I would note that Mr. Dorr was appointed by Governor Terry Branstad, a Republican, and was confirmed by the Iowa Senate, a majority of whom were Democrats.

During the 4 years of our overlapping tenure, I came to know him through monthly meetings of the Board, special committee meetings and personal discussions. I found him to be a man of integrity and commitment. He was, and remains, bright, thoughtful, well read, and a public policy engaged citizen. While we do not share similar political philosophies, I respect him as a creative thinker, a caring citizen, and a genuinely good person, qualities that transcend politics, qualities that serve government well.

Much has been stated about his comments at that Iowa State forum. I was not present. In fact, I was not even in the State at the time, so it would be inappropriate for me to discuss that, but I am comfortable in addressing the extrapolations that some have drawn from that forum. Let me state clearly that in the 4 years I worked with Tom Dorr, there was never any instance that raised concerns to me about racist attitudes or inappropriate values. In all my dealings I found him to be an individual committed to equal opportunity and civil rights for all citizens.

I would like to share a personal instance. The University of Northern Iowa had initiated and funded a collaborative program with the Davenport School District, 3 hours distant, to mentor middle and high school African-American students, and to cultivate their interest in teaching. Because of State revenue shortfalls and the higher cost of this program, we received criticism for its continuation. Tom Dorr was a stalwart supporter. He expressed the belief that our efforts to raise the educational aspirations of these youngsters was exactly what we ought to be doing, and that Iowa very much needed an initiative to staunch the declining number of teachers of color in the classroom. His support was important to the university and to the students we served.

Early in 1995 I accepted appointed as President of Clemson, the Land Grant University of South Carolina. Although most of my life had been spent in small towns and rural areas, it was during my

nearly 5 years at Clemson that I came to understand fully the challenges of revitalizing rural America.

The responsibilities of the Under Secretary are significant and in many ways daunting. What I learned from my experiences in Iowa and in South Carolina, is that there are no simple or easy solutions, no tried and true formulas for success. We fool ourselves if we believe there is an orthodoxy of beliefs, which if applied, will reverse the declining fortunes in rural America. I do not think any one person has the answers, and clearly having been president of a university in a state with over 33 percent minority population and with large pockets of minority rural areas, I feel very keenly about some of those problems. If we bring to Government bright, creative and thoughtful folks, and if we are open to new ideas and approaches, we will make progress in finding policies and programs that work in rural areas.

I believe Tom Dorr has the qualities needed to provide leadership to the Department and to the country, and I am pleased to recommend him to the committee and for confirmation. Thank you.

[The prepared statement of Mr. Curris can be found in the appendix on page 124.]

The CHAIRMAN. Thank you very much, Mr. Curris. Thank you all very much for your statements.

In consultation with Senator Lugar, the committee will now bring Mr. Dorr back to the table. We will go until 12:20, at which time we will then recess until 2:30, and we will come back at 2:30, and I hope to finish the hearing at some point this afternoon. The senators have a number of different obligations. I know that Senator Lugar has to meet with President Mubarak of Egypt. There is a briefing by Secretary Rumsfeld that most senators want to attend at 1:30. It is my intention to come back at about 2:30. Now we will proceed until 12:20. I thank this panel.

I would say that this senator, later this afternoon, has some questions for Mr. Dennis Keeney. If it is at all possible, Mr. Keeney, I would appreciate it if you could be here this afternoon. If you have a plane to catch, I certainly understand that. Thank you all very much.

We would like to recall Mr. Dorr to the witness table.

I would now recognize Senator Lugar for questioning, and then I will recognize Senator Mark Dayton. I will be back very shortly.

Senator Lugar.

Senator LUGAR. Thank you very much, Mr. Chairman.

Mr. Dorr, in some of the testimony this morning and in many press accounts, you are quoted as having given a vision for the future of very large farm entities. Frequently a farm in excess of 200,000 acres has been mentioned as an ideal that you had proposed, and some had ridiculed that in your own state, saying this would be about one farm per county or this type of thing.

Just for the sake of the record, and at least to have on record your own views of these allegations or of what you said, would you try to explain the origin of this concept, what your vision is really, and attempt to bring at least to completeness this portion of the record.

Mr. DORR. Well, I surely will, Senator. I must say that when I began working in these areas of discussion back in the 1980's and

the early 1990's, I surely did not think that some day I would be sitting before this august committee trying to rationalize all of those thought processes. I do appreciate the committee's concern, and I will give it my best.

The real simple answer to this is that it has dawned on me, as I watched things unfold, that technology, and as we shifted from a resource to a knowledge-based economy, that technology and the appropriate use of it was probably the one thing that could give us as farmers and producers access to the marketplace and to the margins which would ultimately allow us to survive in a manner that made sense. That's really the essence of my point on this.

I would be glad to go into more lengthy dialog on whatever aspect of it you want, but it was very clear to me early on that access to knowledge was the one thing that would allow farmers to bring those vendors and those end users more inside the farm gate to get them on our turf, to allow us to expand on our margins and maintain more of those, rather than giving them up outside the farm gate.

Senator LUGAR. Well, many agricultural commentators would agree with you that these breakthroughs in technology offer opportunities for enhancement of return on invested capital. Try to express yourself to the size issue. In other words, could not these breakthroughs in technology bring profit in returns say to a farm of 500 acres as well as one 10 times that size? The criticism, as I understand it, of your point of view, as people have either understood or misunderstood it, is that you are advocating very large aggregations of land, and for people who are involved as small family farmers, this certainly appeared to be threatening.

Mr. DORR. Sure.

Senator LUGAR. What are the elements of size that are involved? Many have written about this question, and indeed USDA has discussed farms of 500 acres or less, or those from 500 to 1,000, and those that are 1,000 or more, and aggregated amounts of income that come in America farming from these groups, as well as the return on investment. Would you address the size issue?

Mr. DORR. Sure. Essentially where the size issues originated from was in the final analysis when you look at the harvesting side of a crop operation. The logistics—the harvesting costs and the logistics to move the crop from the farm to the ultimate user frequently involves somewhere in the neighborhood of 50 to $75 an acre in terms of combining costs, freight costs, and a myriad of things.

Two things happened that prompted me to look into this. No. 1, as many of my farmer friends know, many of the machinery companies have had, for a long time, programs that would allow farmers to run a combine for one year, as long as they put no more than 100 to 150 hours of use on it, and then turn it over, and they would trade or lease them a new combine the following year.

As I evaluated that, that frequently was nothing more than eating into the equity of the producer who was in that program. Those combine costs were really quite considerable when I determined, working with one of my young fellows on my farm, that we actually had about 550 hours of available time. When I found that out, I contacted one of the large machinery companies, and I asked them.

I said, "What would you charge us to lease the largest combine you have for 200 hours worth of use and for 400 hours worth of use?" They said, "We don't do it that way. We do it in 300 and 600 hour increments, but for 300 hours we charge you $39,000. For 600 hours we charge you $41,500."

It was clear to me that they knew where those break even utilization costs were, and that if we could capitalize on that, we could mitigate those costs a great deal.

Second, and in the same vein of that discussion, I contacted a friend of mine, and I said, "Would you do me a favor and find out what the difference in cost is to ship a 100-ton car of coal from the Powder River Basis of Wyoming to Chicago, versus what it costs to ship a 100-ton car of corn from my hometown of Marcus an equidistant to an end user?" The difference came back to be $1,000 greater to ship the car of corn than the car of coal. That amounts to 28 cents a bushel. Those two factors alone lent themselves to utilizing technology to create the kind of synergies necessary for producers to migrate or to keep, rather, much more of that income in their pocket.

Now, the 200,000 acres, and that's the trick. What actually happened was I went to one pretty standard size concrete elevator in one part of the county, and I went to another one in the other part of the county, both on different rail lines and different markets. I said, "Can you in fact ship one train of corn a week from your elevator?" The first reaction was, "No, we couldn't do it." A matter of fact, 3 or 4 days later they both got back to me and said, "You know, we think we could."

I don't have the math in front of me. When I figured, using an 80 percent efficiency factor, those two locations, running 40 trains of grain a week with a mix of corn and beans, using the mix that we typically plant, means that if we could as farmers figure out a way to manage the logistics of our delivery, and keep a fair amount of the grain back in the county for the livestock industry and other processing needs, we could, in that envelope, it would amount to about 225,000 acres. The question became, what do you do, how do you do that in a way in which the family farm can maintain ownership and operation of their farm, and yet build on those technologies?

That was the genesis of that discussion. That is how it happened. There was never any intention to exploit that technology. Frankly, it's ludicrous to think that anyone could bring that kind of an acreage under control. It's just not something anybody would want to do. That's where the numbers got their genesis from.

Senator LUGAR. Well, I appreciate that explanation. We had testimony before the committee by Professor Parlberg, trying to address hog operations, and the consolidation in that industry. One of his suggestions that came out of Purdue was that farmers form very, very large cooperatives so that there were tens of thousands of head of livestock available for the bargaining purposes with the packers or the stockyards or whoever they were dealing with, with the thought that that was about the only way, at least, theoretically, you could break through this problem of the small hog farmer, which we deal with a lot in this committee. Now, that's very tough to do because the independent spirit of most hog farmers is

that they don't want to be involved in a large conglomerate cooperative even if it does mean bargaining power, so this has not proceeded, and much of the dispute still has proceeded. I thank you for your analysis.

If I may just ask one more question in this round, Mr. Chairman. In the course of our committee hearings, I have often shared with members anecdotes from my own operation. It is 604 acres, and so I define that size to begin with. Over the course of the last 45 years, which I have had responsibility, we have had a roughly average return of 4 percent on invested capital as I calculate it. I am both comforted and dismayed by the fact that national statistics usually give a range of 3 to 5 percent for farms in America, wherever they are, which leads persons who are not involved in the farming business to wonder why a rational person would be involved in this enterprise for 45 years, given the government's bond interest possibilities, with no risks, no export problems, no pestilence, floods or anything else.

Now the reason we always get back to this is that we like farming, we like to farm. A family tradition, the same as you have. It is not in theory a rational economic decision. However I would like for it to be, so I have tried to explore actively ways in which that return could be enhanced over the course of time, as you have.

Now, it is very difficult in these hearings frequently to get testimony from live farmers, dairymen, or people involved in the fruit and vegetable industry as to what kind of return on investment they obtain from their farms. Most of the testimony is to the effect that we are, listen, we are struggling simply to get cash-flow to stay alive. You have to understand we are trying to meet the banker. We have not really ever had time to get into these high-faluting accounting ideas of return on investment.

I understand that, and we have tried to help, as you will have to if you are confirmed in the development situation. All I am asking, I suppose, is first of all, your views as to how this kind of return can be enhanced, and you have given some of those, as you have analyzed transportation. Some have talked about GPS systems if you have a large enough entity to use the satellite technology and the data that might flow to your combine from that. Some of this requires larger farming and it does require people coming together in some cooperative venture, which may or may not work. Now, as a part of your job you have to consider Congresswoman Clayton's view that there are a lot of very small farmers in America. Whether they are able to survive or not is of great consequence to this committee, and we spend a lot of time trying to think of how the safety net might be constructed for that to occur. What programs in rural development are at least in the back of your mind that might help the very small family farmer, the farmer that is going to be much less than this 3 to 5 percent return on invested capital that may be at best marginal? Yet this is a way of life, and if it were not for that, there would be large dislocations in our counties throughout the country, and that is why rural redevelopment is so important to all of us. How do you speak to those issues?

Mr. DORR. Well, Senator, that is a very broad and difficult question which not only you and those others of your committee have

been struggling with for a long time, so have those of us who have been living in rural America.

In all honesty, the very small farm size that Congresswoman Clayton referred to is something that we are not nearly as familiar with in Iowa, so it would be remiss for me to suggest that I have some particular answer for that.

I will relate a couple of very brief things, and that is that in rural development, No. 1, we know that the focus of that area is in infrastructure development, housing, fundamental infrastructure, and there is another area called business and industry loan programs.

The Senate Ag Committee, as I understand, is working aggressively in this particular body of legislation, trying to figure out ways to facilitate the generation of capital and the development of it in a constructive way that creates economic growth. The really very interesting thing—and this is a bit of an aside—but the deputy at Rural Development for Policy and Planning is a young man by the name of Gil Gonzalez, who's come from San Antonio. His background, frankly, is in urban development in areas with diminished resources frequently. The focus that he's brought to the Department in some discussions that I've had with him with regard to the use of community development venture capital firms or perhaps the newly legislated rural business investment co-ops, that thing, make an awful lot of sense.

We have the need to provide some education. We have to figure out effective ways to leverage the asset base that we have in rural America, but most importantly, we really need to focus on the fact that we have an awful lot of very bright, capable people out there, and frequently we tend not to give them enough leash. We tend not to give them their due and the respect that they really are very capable, and that if we give them some opportunity, they well may do things that were above and beyond our expectation. It's a combination of struggling to look for new ideas, leveraging, and really going after the resources that you have in the people that are out there, and attempting to help them exploit their capabilities.

Senator LUGAR. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Dorr—well, I am sorry. Senator Dayton has been waiting patiently.

Senator DAYTON. No, I defer to the Chairman.

The CHAIRMAN. Well, I know the Senator has been waiting, and I am going to be back here at 2:30. I do not know if the Senator can come back.

Senator DAYTON. I am not sure whether I can, so I appreciate the Chair's indulgence.

The CHAIRMAN. I would let the Senator go ahead.

Senator DAYTON. Thank you very much. Thank you, Mr. Chairman.

Mr. Dorr, I apologize. I had other hearings this morning, but I have read you testimony and the testimony of all of the other witnesses who spoke on the other panels. I wanted to focus on the article which was in the "Des Moines Register" today, and bear with me because I just got this information this morning, and I am looking through it, and also then just received, as I came into this

hearing, a transcript of this audiotape. Just to clarify my understanding at the outset, sir, how many farms do you own and operate?

Mr. DORR. I own personally a grand total of 250 acres of farmland.

Senator DAYTON. That is Pine——

Mr. DORR. Dorr's Pine Grove Farm Company was an operating company. It was an operating corporation that I owned that owned the machinery that did the farming and that employed myself and my associates who did the operating of the farm.

Senator DAYTON. Pine Grove Farms is a corporation which owns the farm which you then operate?

Mr. DORR. No, I personally own—Dorr's Pine Grove Farm Company did not own and does not own any farmland. Tom Dorr and my wife and I owned about 250 acres. My family, my father a corporation that my father owned, and a couple of family trusts and an aunt and uncle, collectively we owned and operated—I say "we" meaning these two families, but not me personally—approximately 2,200 to 2,300 acres of farm ground.

Senator DAYTON. You say owned and operated in the past tense? Are you still involved in that, or your family?

Mr. DORR. The ground was operated this past year. It will be rented out this coming year.

Senator DAYTON. Then do you have a beneficial interest in any other farm or farming activity?

Mr. DORR. I am a—I have a beneficial interest, a one-eighth—yeah. Well, regarding the article, at that time a one-eighth beneficial interest in something known as the Melvin G. Dorr Irrevocable Family Trust. I also, as a result of a gift from my father, have something around 9 percent equity in a company called Dorr, Incorporated, which owns some farmland and some other equity assets.

Senator DAYTON. Thank you. You just referenced the M.G. Dorr Irrevocable Family Trust?

Mr. DORR. That's correct.

Senator DAYTON. Does that own some of this farmland that you and your siblings have been involved with?

Mr. DORR. Yes.

Senator DAYTON. The 2,200 acres. That's the—according to the article is the trust that was cited by the Farm Service Agency in violation of shares in 1993, 1994 and 1995; is that——

Mr. DORR. That's correct.

Senator DAYTON. Then the tape that is referenced again in the article, references two other trusts, the Belva Dorr Trust and the Harold Dorr Trust. Are those irrevocable Trusts or how do those trusts function?

Mr. DORR. The Belva Dorr, those trusts I have no beneficial interest in, nor was I a trustee or did I have any direct control over. They were trusts set up by my Uncle Harold Dorr, who he and my Aunt Belva Dorr are both deceased. My Uncle Harold and my father Melvin were in business for many years together, and so that's how the relationship between the two evolved.

Senator DAYTON. Does each of those trusts then own farmland?

Mr. DORR. They are—they are included in that 2,200 to 2,300 acre mix, that's correct.

Senator DAYTON. Who owns the 2,300 acres?

Mr. DORR. The 2,300 acres, 2,200, 2,300 acres are owned by myself, back in 1993, 1994, 1995, were owned by my father and mother, by Dorr Incorporated, by the Melvin G. Dorr Irrevocable Family Trust, the Harold Dorr Irrevocable Family Trust, the Belva Dorr Revocable trust——

Senator DAYTON. Each of these trusts owns part of the land?

Mr. DORR. Yes, yes.

Senator DAYTON. Can you provide for the committee, please, a breakdown at that time of exactly how these ownerships were—that is a lot of different ownerships of 2,200 acres or so.

Mr. DORR. Sure.

Senator DAYTON. You outright own, in your own right own 230 or——

Mr. DORR. About 250 acres more or less.

Senator DAYTON. The other trusts each owned——

Mr. DORR. There was none of the trust—excuse me. I didn't mean to interrupt you.

Senator DAYTON. Going back to the M.G. Dorr Trust and the Belva Dorr Trust and the Harold Dorr Trust, these are three separate trusts, and each of them owns land, specific land?

Mr. DORR. Right.

Senator DAYTON. That is farmed by you or your family?

Mr. DORR. That's correct.

Senator DAYTON. All right. The beneficiaries of these trust are who then, please?

Mr. DORR. To get really to the meat of this issue is, I was operating my farm company and operating family land in which there were 8 siblings in my family, an aunt and 5 siblings in that family, along with an excess of 20 grandchildren, who in one form or another were receiving some income out of these properties, and I was responsible to the extent necessary to try to get everything done in a way in which they wanted it done, and to satisfy the needs that they all presented.

I was trying to be a master of a lot of tricks to get everything taken care of for everyone.

Senator DAYTON. In the tape transcript then it says that either in 1990 or 1991—this is reportedly quoting you; you have been identified as the voice on the tape by others—"I—we filed the way the farm, the trust land, both for the Belva Dorr Trust and the Harold Dorr Trust are operated with the ASCS to quite frankly, avoid minimum payment limitations, OK?"

The first part of the question is how many entities did you file with ASCS, including yourself and then each of these three trusts as separate entities; is that the case?

Mr. DORR. Senator Dayton, I was—I believe the record shows that I had power of attorney for the various family entities with regard to filing papers at the ASCS or now the FSA office. I worked in consultation with my aunt and a cousin of the Harold Dorr side of the family. I worked very closely with my father and the trustees of the trusts for those entities and properties that worked on our side of the family. There was—it was my citing the papers at the

ASCS or the FSA office now, but it was in consultation with those other members of the family.

Senator DAYTON. Thank you. What I'm trying to understand then is did you file with the ASCS at that tie office yourself individually, and then each of these three trusts, the H.G. Dorr Trust, the Harold Dorr Trust and the Belva Dorr Trust, so are all of those filed as separate entities, farming entities with the ASCS?

Mr. DORR. No. Let me back up. You need to——

Senator DAYTON. Let me just explain the context. What I am trying to understand is the news article references—and I do not have a copy of the citation from the—whatever from the Farm Service Agency. The article says that that agency determined that the M.G. Dorr Irrevocable Family Trust was, quote, "in violation of shares", close quote, in 1993, 1994 and 1995. That is the article there.

Then the tape has you stating, "I—we filed the way the farm, the trust land, both for the Belva Dorr Trust and the Harold Dorr Trust are operated, with the ASCS to quite frankly avoid minimum payment limitations, OK?"

I am trying to understand, each of those three trusts was filed as a separate trust entity with the ASCS and then yourself as an individual owner and farmer in addition to that?

Mr. DORR. There was—the Belva Dorr Trust was not filed as a separate operating entity at any point in time other than as the trust itself. Dorr's Pine Grove Farm was filed as an entity to rent property from these various properties, as well as to do custom farming. The Melvin G. Dorr Farm Irrevocable Family Trust was set up as an individual entity, as was the Harold Dorr Irrevocable Family Trust.

Senator DAYTON. I am sorry? It was what, sir?

Mr. DORR. As was the Harold Dorr Irrevocable Family Trust.

Senator DAYTON. The Dorr's Pine Grove Farm was set up, was registered. Then the M.C.—I am sorry—the M.G. Dorr——

Mr. DORR. The M.G. Dorr Irrevocable——

Senator DAYTON. The M.G. Dorr Irrevocable Family Trust was registered. The Harold Trust—Dorr Trust was registered, and then the Belva Dorr Trust was not?

Mr. DORR. Well, the Belva Dorr Trust was not registered as an operating unit in the sense that it was operated like the other two trusts, no.

Senator DAYTON. In the tape here when you are speaking, reportedly speaking and said, "I—we filed the way the farm," you are referring to the farm being the Dorr's Pine Grove Farm?

Mr. DORR. Right. I assume I would have to look at——

Senator DAYTON. The farm, the trust land, both for the Belva Dorr Trust and the Harold Dorr Trust. You said you filed the Harold Dorr Trust, but you are—in this tape then you were speaking in error when you say here that you filed the Belva Dorr Trust?

Mr. DORR. Well, I'm not exactly sure what that tape says, Senator. The——

Senator DAYTON. I will come back, Mr. Chairman, and maybe in the interim you could look at that if you could, so I could clarify. I guess what I am trying to understand here is, how many entities were filed and for what purpose? That many entities were filed for 2,200 acre operation—let me just complete then. Did you—the Pine

Grove Farm was filed, two or three trusts were filed. Were you then as an individual filed as well?

Mr. DORR. What we're getting to is the core of the difficulty of all of these issues. The history——

Senator DAYTON. What is the core of the difficulty?

Mr. DORR. The history of a farmer attempting to deal within the constraints and the confines of farm programs, and to keep his arms wrapped around all of these issues——

Senator DAYTON. Mr. Dorr, you created these entities. ASCS did not create these entities, did not require you to file them, any such thing. You or your family created the entities. Now I am the beneficiary of family trusts, so I am just trying to understand how they were established, but nobody required you to file any of these with ASCS, so for you to be blaming the Government program for your own decision and your own—that you are responsible for is really misleading this committee and unwarranted.

Mr. DORR. Sir, I am not trying to—first of all, let me say that this was a family matter that I regret having said some of the things I said on that tape, quite clearly. They were said in the context—and I want to get into this because perhaps it will be—let me back up.

Every farm entity has to be registered at the FSA Office. All of the family entities including, Dorr Incorporated had farmland. It was registered at the FSA Office. The Belva Dorr Revocable Trust, which is a trust accruing interest to my living Aunt Belva at the time was registered. It had some farm property. The Harold Dorr, the Melvin Dorr Irrevocable Family Trusts were registered. My own personal farmland was registered. My parents' farmland was registered, and Dorr's Pine Grove Farm was listed as an operator of a number of these properties. That is part of the requirement of the farm program to participate in those.

Senator DAYTON. OK. I have to go back and look at the language of the regulations at that point in time, but I guess what you are quoted as saying on the tape is, either in 1990 or 1991, "I—we filed the way the farm, the trust land, both for the Belva Dorr Trust and the Harold Dorr Trust are operated, with the ASCS, to quite frankly, avoid minimum payment limitations, OK?"

That says to me that you made a decision—maybe it fit within the requirements. Maybe it was required, but you made a decision, what you are saying here, the way I interpret this, you filed the way the farm, the trust land, both for the Belva Dorr Trust and the Harold Dorr Trust are operated with the ASCS to quite frankly avoid minimum payment limitations.

Was that your intent?

Mr. DORR. Senator, no.

Senator DAYTON. Am I misunderstanding what the tape quotes you as saying? Did you not make that statement?

Mr. DORR. The statement was made in the context of a discussion with a sibling who, quite frankly, had had a great deal of difficulty with our entire family for some time. We had previously gone through some other issues with him 3 or 4 years prior to that, and when this issue was broached again, initially, it was broached in a manner that I assumed he was suggesting that I was taking advantage of the trust.

There were——

Senator DAYTON. You are saying that you were not taking advantage of the trust, you were taking advantage of the Federal Government?

Mr. DORR. No, I was not taking advantage of the Federal——

Senator DAYTON. It says here you set that up to, quite frankly, avoid minimum-payment limitations.

Mr. DORR. Senator, farmers always have to work within the confines of the farm programs. As a farmer who is responsible for his fiduciary responsibility for himself, and his family, and those which he works with, he will always work within the farm programs. The way those programs and the way those properties were set up, to the best of my knowledge, would not have violated any payment limitation.

For one not to attempt to maximize the payments from the farm programs has a significant detrimental value on one's ability to generate an adequate rate of return or an adequate living on the farming operation. It was within that confine and that context, not just me, but the trustees of these two trusts, had elected to do what we did.

Senator DAYTON. Well, maybe so. It says here, in another part of the transcript:

"Unknown Voice: This was all done that way in an effort to—"

Then your voice is cited as saying: "Avoid a $50,000-payment limitation to Pine Grove Farms."

Was that not the intent of setting up these different trusts, filing them, and the later arrangements, which we can go into after lunch, was to avoid the payment limitation that was in place at that period of time?

Mr. DORR. No, the intent was to set up and structure the organization in a way that was in compliance with the rules in the farm program.

Senator DAYTON. I am quoting you, sir. I am quoting you in the transcript, "to avoid a $50,000-payment limitation to Pine Grove Farms."

That is what I am quoting you as saying, that that was the reason——

Mr. DORR. It was not, but it was not——

Senator DAYTON. It was an effort to avoid a $50,000-payment limitation to Pine Grove Farms. That is what it says in the transcript, and it cites your name. I was just going by what the transcript refers to you, in your own words, what your intent was.

What else am I supposed to assume, sir?

Mr. DORR. Sir, there was the opportunity to have other entities, operating entities set up that would qualify for $50,000-payment limitations. I have known many, many farmers over the years who do that and——

Senator DAYTON. I am not talking about many, many farmers.

Mr. DORR. OK, that is fine.

Senator DAYTON. Many, many farmers are not here to be appointed to what Senator Grassley rightly earlier referred to as an extremely important position in USDA. You, alone, sir, are in that position so you, alone, are the one I am asking these questions about today.

Mr. DORR. Yes, sir. As near as I can tell, I, alone, and our family trusts have done nothing out of the ordinary relative to the way many farms are operated. We did that within the confines of the way we thought it was best to be handled.

Senator DAYTON. Mr. Chairman, you cited 12:20 as the time for luncheon break. It is 12:30 now. I am willing to relinquish my opportunity, if I may, though, with the understanding that when the hearing resumes at 2:30, I can continue my questioning.

The CHAIRMAN. If that is agreeable to the chair.

Senator DAYTON. Or whatever arrangements the chair wishes to make with me.

The CHAIRMAN. I say to the Senator we will be back at 2:30. I have relinquished my right to ask questions, but I will pick that up at 2:30, and I will recognize——

Senator DAYTON. I will be glad to defer to the chairman, and may I go after the chairman because then I do need to go onto other——

The CHAIRMAN. I would recognize the Senator at that time.

We will recess for 2 hours, but before we do, just to borrow the well-worn phase from Apollo 13, "We have a problem here. We have a real problem here," and it has to do with the fact, as I see it anyway, that a finding was made with the U.S. Department of Agriculture, verifying certain things that later turned out not to be so. We will get into that this afternoon. Then it gets to the issue of intent. Was this just a simple mistake or not?

The FSA, later on in 1995 or 1996, I guess without the benefit of this documentation, said, well, just pay the money back, and the money was paid back. I have not heard this tape. I heard about it. It has been rumored it has been around, but I never heard the tape and still have not. Obviously, we have the transcript now, and I was following it as Senator Dayton was asking his questions. There is a problem here, and we will get into it a little bit more this afternoon.

With that, we will recess until 2:30. We will come back at 2:30.

[Whereupon, at 12:31 p.m., the committee adjourned, to reconvene at 2:30 p.m., this same day.]AFTERNOON SESSION[2:30 p.m.]

The CHAIRMAN. The Senate Committee on Agriculture, Nutrition, and Forestry will resume its hearing.

We are here this afternoon to continue the discussion on the nomination of Mr. Thomas Dorr to be Under Secretary of Agriculture for Rural Development.

I might say to you, Mr. Dorr, I know some people are still over at Secretary Rumsfeld's briefing on Defense, and I do not know when others might come in here, but there are some areas that I, personally, wanted to cover with you, but I am going to defer again to Senator Dayton, who probably has other things to do this afternoon too.

Senator DAYTON. Thank you, Mr. Chairman.

The CHAIRMAN. One of the great privileges of being a chair, you just get to sit here all of the time, right?

Senator DAYTON. That is right.

The CHAIRMAN. I appreciate it.

Senator DAYTON. It is too far to walk.

The CHAIRMAN. Right. Then to continue the discussion, I recognize the Senator from Minnesota.

Senator DAYTON. Thank you, Mr. Chairman, because I do have other engagements to go on to.

Mr. Dorr, going back then to these filings with the ASCS back in the early 1990's, my understanding from the Des Moines story this morning, the Des Moines Register's story this morning, that the Farm Service Agency, the successor to ASCS, found that the M.G. Dorr Irrevocable Family Trust was in violation of shares agreements in 1993, 1994, 1995, and that as a result, $17,000 was paid from that trust to the FSA; is that correct?

Mr. DORR. That is correct, Senator. If I could possibly go back to try to answer one of your earlier questions, you asked about the number of trusts and about the number of acres, and I did go back over lunch and pull that information together for you.

There were actually seven different entities. One of them was my mother and father, Melvin and Margaret Dorr. They had 360 acres, and these are all more or less, but I am pretty close; there was the Melvin G. Dorr Irrevocable Family Trust that had 280 acres; there was the Harold Dorr Irrevocable Family Trust, it had 320 acres; there was the Belva Dorr Irrevocable Trust with about 470 or 480 acres; there was the Harold Dorr Irrevocable Trust that had 245 or 250 acres; there was a company called Dorr, Incorporated, that at one point was jointly owned by my father and uncle that, at that point, was owned by my father, that had 280 acres; and I, personally, had 250 acres.

Now I understand that this is rather complex. However, my father and uncle set up these various farming entities back in the early 1970's to facilitate the transition and hopefully to maintain the family farm intact and to move the farm from one generation to the other. At that point, I had an uncle, my Uncle Harold, who was very interested in a couple of his grandchildren possibly returning, and it was one of the ways in which he could facilitate that.

It was not my responsibility to put all of these entities together. I did not structure them. This took place prior to my being there, and ultimately I was saddled with this myriad of groups.

The tape conversation that you were referring to earlier in the day was one between a brother and myself, and, frankly, it was one in which he did not understand, truly understand the implications of my father's estate plan, and we were simply trying to work within the context of that plan, put in place by the previous generation, my father and uncle, within the framework of the laws at that point.

In response to your question now, the county FSA was approached by this brother and asked to look into this matter with the trust, and they did. They originally determined, in fact, they did determine that there were no violations, no shares violations or anything of that sort.

Somehow out of that, and I do not know why, the State then decided that they were going to get involved in it, the State FSA, and they promulgated what ended up being what is known as an end-of-year review. That end-of-year review took place, was completed in late 1995. The trustees, my other brothers and myself, were no-

tified that they thought there was this shares violation. In fact, they then said that we had to repay the 3 years' penalties, which approximated $17,000.

The trustees and myself, my other brothers and myself, disagreed with that ruling. In fact, we were disappointed with it. We had earlier sought legal counsel as we got into this thing. We referred it to him. He, too, thought it was an inappropriate decision. After looking at it and evaluating it, he said we could appeal this probably, and we could probably win, but it is probably going to cost you somewhere between two and three times the amount of the fees.

Consequently, in our fiduciary capacity and reviewing it with the other beneficiaries and trustees, we elected to repay these funds. Once we repaid the funds, then I went back to the county FSA office, and I said, "OK. Tell us how you want us to restructure this so that we, in fact, are in compliance with all of the rules and regulations."

That is the essence of this whole issue, and that is probably as good a guidance as I can give you on it at this point because that is really the end of the story.

Senator DAYTON. The M.G. Dorr Irrevocable Family Trust paid the $17,000, is that correct, for——

Mr. DORR. That is correct.

Senator DAYTON [continuing]. What ASCS or FSA then subsequently determined was a violation, and you paid it off——

Mr. DORR. That is correct.

Senator DAYTON [continuing]. Without dispute.

Who operated, at that point, the M.G. Dorr Irrevocable Family Trust?

Mr. DORR. The Irrevocable Family Trust had three trustees, myself and two brothers, and we collaboratively made the decisions.

Senator DAYTON. You had the power of attorney for the trust, I understand.

Mr. DORR. I had the power of attorney to sign at the FSA office, that is correct. That was the only place that I had power of attorney to do business.

Senator DAYTON. The arrangement then was between the M.G. Irrevocable Family Trust, of which you were a trustee and had power of attorney, and then yourself dba Pine Grove Farms, Inc.?

Mr. DORR. It was not with myself. It was with my company, Dorr's Pine Grove Farm Company, that is correct.

Senator DAYTON. Pine Grove Farm Company is a—what is that——

Mr. DORR. Dorr's Pine Grove Farm——

Senator DAYTON. What kind of a corporation is that, sir?

Mr. DORR. That is a C corporation.

Senator DAYTON. You are the CEO or the president?

Mr. DORR. I am the CEO, and I am the sole stockholder with my wife.

Senator DAYTON. You set up an arrangement between this trust, M.G. Dorr Irrevocable Family Trust and your company, Pine Grove Farms, and you characterized it in the filings with the ASCS as a custom fee arrangement; is that——

Mr. DORR. No. The Melvin G. Dorr Irrevocable Family Trust was set up as an operating entity, entitled to receive 100 percent of the benefits from the various farm program payments, bearing in mind this was a 280, yes, it was a 280-acre operation.

Then the trustees worked with Dorr's Pine Grove Farm, they asked us, Dorr's Pine Grove Farm, to operate the farm, which was in the context of what my father wanted them to do, and Dorr's Pine Grove Farm then did provide custom farming services for the family trust. That is correct.

There was not a filing that indicated we were a custom fee operation or anything like that.

Senator DAYTON. Well, was that not the basis under which ASCS originally determined that it was subject to the limits; whereas, before, they had determined that it was not? That under a crop share agreement, where you would be receiving norm is 50 percent of the proceeds, that is subject to the payment limits; whereas, a custom fee arrangement is not subject to the payment limits.

Mr. DORR. Custom fee arrangement——

Senator DAYTON. It is my understanding that you certified to ASCS that it was a custom fee arrangement, that that was the way you described the relationship between Pine Grove Farms Company, yourself, and the trust, which was again essentially yourself because you had the power of attorney, and that you described that relationship as a custom fee arrangement so that it was not counted against the payment limit?

Mr. DORR. Well, Senator, the only power of attorney I had——

Senator DAYTON. Is that correct or incorrect?

Mr. DORR. No, that is incorrect, sir.

Senator DAYTON. That is incorrect. What is incorrect?

Mr. DORR. First of all, the trustees, myself and two brothers, made this arrangement.

Senator DAYTON. You had the power of attorney. The trustees made you——

Mr. DORR. The only power of attorney that I had was to sign the documents at the ASCS office.

Senator DAYTON. The trustees made the arrangements. You and your brothers made the arrangements.

Mr. DORR. That is correct.

Senator DAYTON. With yourself.

Mr. DORR. They in turn then contracted with Dorr's Pine Grove Farm to pay for, on a custom basis, these arrangements. Now——

Senator DAYTON. On a custom basis?

Mr. DORR. On a custom basis, that is correct.

Senator DAYTON. Is the representation that you had made to——

Mr. DORR. That was, in fact, the case, sir—Senator.

Senator DAYTON. What was the fee you were paid on a custom fee basis?

Mr. DORR. I was, Dorr's Pine Grove Farm, was a custom operator. We not only custom farmed ground for the Melvin Door Trust, we did it for other farmers in the neighborhood, as well, so it was not something——

Senator DAYTON. What was the fee arrangement then with the trust?

Mr. DORR. The fee arrangement was arrangement that we made Dorr's Pine Grove Farm and the trustees agreed upon.

Senator DAYTON. What was that arrangement?

Mr. DORR. That arrangement was to pay for the machine services that we provided to the trust.

Senator DAYTON. That was the only payment made by the trust to this company?

Mr. DORR. The trust reimbursed Dorr's Pine Grove Farm Company for the machinery services, and the management services, and other things that we did for the trust, yes.

Senator DAYTON. In this recording, you are describing this arrangement, you said that you are receiving 50 percent of the payments, of the proceeds from net of these payments on the machinery, that you had set it up in just that fashion.

You said, "Besides those two machine charges, everything else is done on a 50–50 normal crop share basis," that you got half of the proceeds and the trust retained half of the proceeds, net of the use of machine and expenses. That is the way you described the arrangement in this conversation. Is that accurate or inaccurate?

Mr. DORR. Senator, the trustees approved all of the charges that they paid——

Senator DAYTON. I understand. I am just asking what is the arrangement.

Mr. DORR. The arrangement was that they paid for the charges for my management services, my marketing services. They paid Dorr's Pine Grove Farm for the machinery services, and that was the charge that they paid.

Senator DAYTON. Well, as you know, since you are a farmer, there is a very real difference here, I am not just quibbling over words, between a custom fee arrangement, where the payments are not subject to the payment limits under then-ASCS, and a crop share arrangement where they are. We are not dealing with semantics here. You, yourself, in this conversation said that everything was done on a 50–50 normal crop share basis.

In fact, a crop share arrangement, at least as I understand it—and it applies to Minnesota, I assume it applies in Iowa—is that kind of 50–50 arrangement. That is subject to the payment limit. You were representing this to ASCS, on the basis of your filings, and the trust was representing it on the basis of its filings, as a custom fee arrangement which, in fact, would have been about, what, $60 or $70. It is significantly less money, and a very different arrangement, and this was done, according to your own statement here, and again I will read the tape, "Besides these two machine charges, the expenses, everything else is done on a 50–50 normal crop share basis."

That unknown voice, "This was all done that way in an effort to," and this is your voice attributed, "Avoid a $50,000-payment limitation to Pine Grove Farms."

It was my understanding that ASCS, when they came in and did an evaluation, determined that the reason the trust owed the $17,000 back was because the trust had represented this arrangement as a custom fee arrangement, and in fact it was not. It was a crop share arrangement.

Mr. DORR. Senator, to suggest that I was trying to take advantage of the——

Senator DAYTON. I am just quoting your own words, Mr. Dorr.

Mr. DORR [continuing]. Of the farm programs, is not correct.

Senator DAYTON. I am not suggesting anything. I am just reading you the transcript.

Mr. DORR. It was an arrangement that was entered into by Dorr's Pine Grove Farm and the trustees within the framework of what we were allowed.

As I pointed out to you early on, there were several different entities. All of these, in one form or another, would have been eligible for some payment limitation or payment program. We did nothing, as near as I can tell, and according to everything that I have received from the FSA, we have done nothing that was inappropriate. They did not agree with the way in which we did it at the time. We did not believe it was incorrect, and I find that——

Senator DAYTON. They did not agree with your characterization of it.

Mr. DORR. Pardon?

Senator DAYTON. They did not agree with your characterization of it as a custom fee arrangement because, in fact, it was, what they determined it to be, which is what you, yourself, said in the transcript it was, a crop share arrangement. Again, I am not inferring anything. I am quoting your own words here that it was done to avoid the payment limitation.

You further go on to say, the question asked again, you say in the tape, "I have no idea if it is legal. I have no idea. I suspect that if they would audit and somebody would decide to come in and take a look at this thing, they could probably, if they really wanted to, raise hell with us," which is, in a sense, what ASCS did. I do not know about "raising hell," but they came in and questioned what had been done here.

Then they go on to say, "That custom fee actually is not a custom fee. That is crop rental income to me. That is my share of the income," and then you go on to say, and I am leaving some parts out here, but I will certainly insert all of this for the record, "I, we, filed the way the farm, the trust land, both for the Belva Dorr Trust and the Harold Dorr Trust are operating with the ASCS, quite frankly, to avoid minimum payment limitations, OK?"

It seems to me you are stating here very, very clearly that that was your intent. In fact, that is what ASCS determined was the discrepancy between what you represented, what you certified on those documents, as both the trustee and with the power of attorney an arrangement that was with yourself and then what it was determined to be.

I take you at your word, sir, in these tapes that you made these arrangements so that you could circumvent the payment limits.

Mr. DORR. Senator, let me say one more time for the record, that these were not arrangements that were made with myself. They were made between Dorr's Pine Grove Farm Company and the family trust, in full knowledge of all of the trustees and of all of the beneficiaries, No. 1.

Number——

Senator DAYTON. Let us clarify the record. You were one of the trustees.

Mr. DORR. I was one of three trustees——

Senator DAYTON. You had the power of attorney for the trust.

Mr. DORR [continuing]. I was one of eight beneficiaries.

Senator DAYTON. The trust made the arrangement with yourself operating Dorr's Pine Grove Farms.

Mr. DORR. The only benefit of the power of attorney with me at the FSA was to enable me to sign the papers without having to send them around to two other trustees. We——

Senator DAYTON. You were one of the three trustees.

Mr. DORR. Second, Senator, the tape refers to something called the Belva Door Trust which was, in fact, an entity which was never farmed on a custom farming basis. The tape, according to my brother, was actually a tape that was put together out of a couple of conversations and, to a large extent, there are portions of it that were taken out of context.

It was a family matter that was involving a brother who had been——

Senator DAYTON. I do not——

Mr. DORR. The discussions in this were taken——

Senator DAYTON. Were you misrepresenting the situation? I am taking you at your own word. I do not——

Mr. DORR. No, what I was trying to do was assure my brother that we were not taking advantage of the family trust.

Senator DAYTON. I assume you were describing to him accurately what was going on at the time. Whether it is your brother or anyone else, the conversation, I am trusting your voracity, you were describing to him, who was a beneficiary, and I believe the context was questioning what the payment allocation was, you, yourself, were explaining to them why you had set it up this way, why it was being operated in this way.

As I understand it, and I am just, again, quoting you at your own words here, that you are saying it was set up, frankly, to avoid minimum payment limitations, that that is why the trustees—you being one of the three—set it up that way and represented it to ASCS as a custom fee arrangement when, in fact, you say here it was not a custom fee arrangement.

You, yourself, knew that for a fact, when you were certifying otherwise, it was a crop share arrangement, which if it had been disclosed as such, would have meant you would not have been able to claim the payments from that trust, all of them without going up against the fee limit or at least that was your contemplation.

Mr. DORR. No, that is not correct because if you would have dubbed all of those payments together, any way you want, we would have never exceeded the payment limitation——

Senator DAYTON. Who is "we"?

Mr. DORR. Dorr's Pine Grove Farm, the family trust, any way in which you would have put these together, we would never have exceeded the payment limitations.

Senator DAYTON. This audit, as I understand it, which was completed by FSA and because the repayment is only for the M.G. Dorr Family Trust——

Mr. DORR. That is correct.

Senator DAYTON. Only that one.

Mr. DORR. That is correct.

Senator DAYTON. You have described here having a similar arrangement with the Harold Dorr Trust?

Mr. DORR. That is correct.

Senator DAYTON. For some inexplicable reason, the FSA, at least from my information, did not audit that trust and that relationship. Would they find the same thing here, that this was reported as a custom fee arrangement?

Mr. DORR. I do not know how they would find that, Senator. I do know that the reason that these were set up——

Senator DAYTON. It was the same arrangement as with the other trust.

Mr. DORR. It was the same arrangement with the other trust, and the reason these were set up was because my uncle, shortly before his death, asked me to do that.

Senator DAYTON. Those are two trusts, the two trusts which you were receiving half of the income and that are being reported erroneously——

Mr. DORR. We were not receiving half the income. We were receiving custom payments that were arranged—I was not a trustee, nor did I have a beneficial interest in that trust. I worked very close with my aunt and cousins and took direction from them.

Senator DAYTON. I am taking you at your word that it was a custom, that it was the same arrangement as the other one, which you described variously as a custom fee arrangement, which you then acknowledge, and which the ASCS determined, was a crop share arrangement, which has very significant different application of Federal law and the regulations for these programs.

If you are receiving those payments, even though the second trust was not audited, and should have been by the FSA, and if you are receiving payments now from two different trusts, you, yourself, are receiving that, then I can start to understand what the intent was here, which was to avoid yourself running up against these payment limits.

Mr. DORR. No, Senator. We were simply trying to work within the restraints of the law.

Senator DAYTON. This is not "simple." You were not simply—you were operating these—in fact, the trust, as I understand it, the M.G. Trust was set up and operating as a contract share trust until about 1987 or 1988, when you changed it to a custom fee arrangement, so called, and then——

Mr. DORR. That is correct, and that was at the request of my uncle. I did not initiate that.

Senator DAYTON. It was reported as such to ASCS and on which basis you were not, you were collecting payments, as were the trust, and then after ASCS came in and reviewed these matters, found that this was not a custom fee arrangement.

Mr. DORR. Senator, at the time, those were set up that way. There was nothing illegal, there was nothing inappropriate, and there was nothing with outside——

Senator DAYTON. I am not saying that it was illegal. There is nothing illegal in setting them up that way, but the disclosure to the ASCS during this period of time, which was under review, and

I do not know if it was the case before the period of time, before 1993, was as a custom fee arrangement. That was, certainly, if not illegal, highly questionable because, again, that was done, by your own account, to avoid the payment limit.

Mr. DORR. Senator, excuse me. I am sorry.

Senator DAYTON. Yes.

Mr. DORR. Senator, the trustees of both of those trusts could determine what they decided to reimburse Dorr's Pine Grove Farm with—it was their discretion.

Senator DAYTON. Who filed the report, who filed the trust report with the FSA or ASCS at the time?

Mr. DORR. I am not 100——

Senator DAYTON. Who signed the document?

Mr. DORR. I believe, in fact——

Senator DAYTON. You had the power of attorney.

Mr. DORR. No, I believe, in fact, on the Harold Dorr Irrevocable Family Trust, my aunt did.

Senator DAYTON. No, the M.G. Dorr Irrevocable Family Trust.

Mr. DORR. On the M.G. Dorr Irrevocable Family Trust, I did, but I am——

Senator DAYTON. You signed the documents——

Mr. DORR. That is right.

Senator DAYTON [continuing]. Representing it as a custom fee arrangement.

Mr. DORR. That is right.

Senator DAYTON. You, yourself, believed at the time that it was—at least told your brother—that it was, in fact, a crop share arrangement, not a custom fee. You signed the document stating it was one kind of arrangement when, you, yourself, said to others that it was not that arrangement.

Mr. DORR. No, what I was explaining to my brother, that it was not any worse or any different than any other arrangement and that we were not, as Dorr's Pine Grove Farm, making an unduly large amount of money off of the custom farming operations.

I would want to point out—I am glad you brought that up—that I do believe, and I can find that document, I believe, that my aunt Belva Dorr, who is now deceased, did, in fact, sign the document for the Harold Dorr Irrevocable Family Trust. At the time, that was set up that way as well.

Senator DAYTON. Based on her hands-on operation of that trust and the farming operation or based on representations that you or someone else made to her?

Mr. DORR. It was based on decisions that she and my uncle at the time decided to do it for——

Senator DAYTON. She went down to ASCS these years, and she attested that this was a custom fee arrangement rather than a crop share arrangement because that was her knowledge of the situation?

Mr. DORR. No, I do not think she went down there year after year after year, but she signed——

Senator DAYTON. Filed the reports or signed the documents.

Mr. DORR. She signed the documents, and it was done in order to facilitate a continued cash-flow for my uncle's grandchildren and

their college education, and that is what he had intended for, and it was a way in which he could get——

Senator DAYTON. If this had been reported, as it was, that you were the recipient of these two crop share arrangements, and you listed seven entities, so I do not know whether you were receiving income at the time from these trust arrangements as well, would you have then exceeded the payment limit for those years?

Mr. DORR. Senator, if all of those entities combined, this is what I tried to tell you a moment ago, if all of these entities combined would have been operated on a crop share basis, at no time would we have ever exceeded the payment limitations. We are not talking about a huge tract of land. This was about 2,200 acres of property. If I would have——

Senator DAYTON. You went to a lot of effort for nothing.

Mr. DORR. Pardon?

Senator DAYTON. You went to a lot of effort setting all of these up or operating them this way for——

Mr. DORR. That was what I——

Senator DAYTON [continuing]. Out of no necessity, in hindsight.

Mr. DORR. That was what I tried to explain earlier. I did not set those all up. They were set up by my uncle and by my father for purposes of trying to pass this——

Senator DAYTON. The trusts, the trusts were set up——

Mr. DORR. The trusts and Dorr, Incorporated——

Senator DAYTON [continuing]. As crop share arrangements, and then in the late 1980's, they were changed to custom fee, represented as being changed to custom fee arrangements. Again, I am taking you at your word when you said in 1995 that these custom fees are actually not a custom fee. They are crop rental income. That is your share of the income, and you were, at the same time, representing then to at least one trust where you were a trustee, where you did sign the documents, you were representing to the Federal Government something different from that, for the purpose, you thought, of having a different characterization of those proceeds.

Mr. DORR. Well, Senator, I would simply reiterate that the county committee originally reviewed this, decided there was, in fact, no violation of shares. They, ultimately, it was taken to the state committee by someone, I do not know who, when they determined—frankly, I view this matter, $17,000, it is not a huge sum of money, and I look at it, to some extent, as a tax audit.

Senator DAYTON. Mr. Dorr, I look at it differently. I look at it, and any farmer in Minnesota who deals with these programs looks at it for what you, yourself, in these tapes said it was; a clearly intended attempt to violate or to circumvent, evade these payment limitations.

I cannot imagine that somebody could be put in place of administering this agency, which is responsible for all of these programs, somebody who has devoted himself to trying to circumvent the very regulations and laws which were set up just for this reason, and where you, yourself, knowingly falsified statements and documents that were submitted to the Federal Government, attesting to an arrangement that you, yourself, were saying at the time did not exist, that a different arrangement existed. That is how I view it, sir.

I also think, Mr. Chairman, before this matter comes to the committee for a vote, that we should request that FSA review these other trusts and these other documents and find out if this is—because the FSA, for some inexplicable reason, only audited this one irrevocable family trust, the M.G. Dorr Irrevocable Family Trust. Before I want to vote on this matter, Mr. Chairman, I want to know the totality of all of these different arrangements, and what the payment arrangements were, and who signed the documents and the like, so I can make a determination, whether as you say this was one inadvertent situation or whether this represents something more than that.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you. I let the Senator go on longer than the usual 5-minute rule because we are the only two here, but also because this is a matter of extreme importance and somehow we are going to have to get to the bottom of it.

I do not wish to go over all of that ground again, but I do have, Mr. Dorr, a couple of questions.

How were the payments made to you? How were the payments from this trust or all of these trusts made to you in your capacity as farming the land and harvesting the crops? How were the payments made?

Mr. DORR. These payments were invoiced out, as the charges were made, and then when the trusts had money, they would pay me. That is, when there was money in the bank account and they had grain sales and other things, they would reimburse us then for our charges.

The CHAIRMAN. Were your charges then based upon the usual and customary custom farming fee in your area?

Mr. DORR. No, actually, these charges were higher than the normal customary farming fee, and that was agreed upon by the trustees, as well as the beneficiaries.

The CHAIRMAN. How much more were they than the normal and customary custom farming fees in that area?

Mr. DORR. I do not know. It varied from year to year. Perhaps, depending on the services that we provided, I did grain marketing services for them, I managed all of the daily drainage crop monitoring normal management issues, so there were payments for those. All in all, I suppose we probably garnered somewhere between $150 and $175 an acre in custom farming fees.

The CHAIRMAN. Are you saying that at that time that, from the proceeds of the farming operations for these trusts, that you did not, as the head of Pine Grove Farms or you individually receive 50 percent of the value of the crops harvested during any 1 year? You did not receive 50 percent?

Mr. DORR. I do not know, Senator, without going back and looking at them. That was back in the mid-1990's. There were times when we got close to that. I do not know if it was exactly 50 percent. I do not know if it was more or less.

The CHAIRMAN. Then what are we to understand when you say in this transcript that, besides the two machine charges, everything else is done on a 50–50 normal crop share basis? Were you being honest with your, I do not know, whoever the unknown voice is

there or were you not? Were you doing it on a 50–50 normal crop share basis?

Mr. DORR. Actually, we were doing it for a little less than a 50–50 crop share basis. What I was trying to do was assure this brother, who was quite disconcerted about this, that, in fact, we were not taking advantage of the trust. We were clearly trying to operate it under the premise in which it was set up by my father and by my uncle in the way in which they wanted.

The CHAIRMAN. Then when this unknown voice says, "This was all done that way in an effort to," and you respond, according to the transcript, I have not heard the tape, you respond, you say, "Avoid a $50,000-payment limitation to Pine Grove Farms."

There was never any payment limitation consideration to the trust?

Mr. DORR. Excuse me. I guess I did not understand your question.

The CHAIRMAN. You said that you had set up this arrangement in a way to avoid a $50,000-payment limitation to Pine Grove Farms. That was a separate entity from the different various trusts that you were farming.

Mr. DORR. It was the company that rented the other ground and did other custom farming for other organizations, that is correct.

The CHAIRMAN. You were concerned about the $50,000 payment limitation to your operation, not to the trusts. In other words, if there was a 50–50 normal crop share basis, if there was a problem with a $50,000-payment limit to one entity, would there not be a payment limit to another entity, the other entity in the crop share arrangement?

Mr. DORR. There was no payment limitation issue concerned, that I am aware of. Pine Grove Farm, as I just explained to Senator Dayton, had you taken all of the payments from all of these farms and laid them out in a 50–50 basis, assumed that all acres were operated 50–50, there would never have been a payment limitation issue.

The CHAIRMAN. To the trust.

Mr. DORR. No, to Dorr's Pine Grove Farm.

The CHAIRMAN. Then why did you say you wanted to avoid a $50,000 payment limitation? If there was never any problem with the payment limitation, why did you say you set it up this way to avoid a payment limitation?

Mr. DORR. Senator, in 19—I believe it was in 1976 or 1977, when the farm bill was written, it was the first time in which it was indicated that it would allow one to prove yields. We aggressively began to prove yields because I assumed that, at some point, farm program payments would be based on yields.

When one operates a farm, and as one of the earlier discussants, I believe it was Senator Lugar, talked about this morning in terms of the limited narrow margins in returns, one attempts, and if he does not, I would be surprised, but one attempts to work within the confines of the programs in which they are defined and the way they are set out in order to make sure that he can capture as much of the farm program payments, et cetera, that are involved in any way that is within the confines or the proper precepts of the farm

programs. If you do not do it that way, it frequently makes it impossible to operate.

We did nothing, that I am aware of, in the way in which we structured these operations, to farm outside the constraints of the farm programs. The payments that were paid to Dorr's Pine Grove Farm for custom farming fees by the trusts, either one of the trusts, were done full knowledge with the trustees, with the beneficiaries and everyone involved.

I did a good job of marketing. I did a good job of land stewardship. We did a good job of operating a variety of things. There were charges that we were paid for by our landlords over the years that normally people do not charge for, and it was on a continuing basis for that style of management that we did, and that is the way in which we operated.

The CHAIRMAN. Well, as you said earlier, there is nothing wrong, and you alluded to the tax system, there is nothing wrong with getting a good tax lawyer and trying to figure out how to minimize your taxes. There is nothing wrong with that. There is nothing wrong with running a farming operation to maximize farm payments. There is nothing wrong with that.

What is wrong is if one falsifies a document or falsifies tax returns in order to maximize benefits or Government payments. That really is the crux of the issue here and it is obvious that something was misstated on the filings on how this arrangement was run. After all, there was a payment repayment of over $16,000—16,000-and-some-odd dollars. Obviously, if nothing had been done out of line, I do not know why anyone would have to pay anything back.

Senator DAYTON. Mr. Chairman, if I may, if the Senator would yield, I want to associate myself with your last remark because these programs depend upon the honesty and the integrity of the participant farmers. I believe there are 2.5 million farmers that receive these payments. If every one of them were taking the tact of misrepresenting what they are doing in order to collect additional money or avoid payments, the system would break down totally.

I know good Minnesota farmers who operate under the same very tight margins that Mr. Dorr describes. I know farmers, in fact, that have gone bankrupt, but who would have cutoff their right arm before they would have misrepresented on a document anything for the purpose of avoiding limits or receiving funds to which they were not entitled. That is not a standard in Minnesota, and that is not a standard, frankly, that I want to be represented here in Washington for programs that Minnesotans are participating in.

Thank you, Mr. Chairman.

The CHAIRMAN. I would just say, again, on the transcript, again, Mr. Dorr, on down it goes on as a conversation and says:

"Tom Dorr: What actually happened there was way back in perhaps even 1989, but—no, no, it was in 1990 because that does not show up until then, either 1990 or 1991. I—we filed, we filed the way the farm, the trust land, both for the Belva Dorr Trust and the Harold Dorr Trust are operated with the ASCS to, quite frankly, avoid minimum payment limitations. OK?" End of statement.

Now, if you had said we farmed it the way we did, here is the way we farmed it, and we did this and this to maximize the amount of farm payments we are going to get, no one is going to

argue with that. The argument is your own statement saying that "we filed, we filed the way the farm, the trust land, both for the Belva Dorr Trust and the Harold Dorr Trust are operated with the ASCS to, quite frankly, avoid minimum payment limitations."

That, I believe, is the crux of the problem. As I said earlier, we have a problem here, and that is the crux of it right there.

Mr. DORR. Senator, we did not file for the Belva Dorr Revocable Trust. That trust was operated on a crop share basis. The record will clearly show that.

The Harold Dorr Irrevocable Family Trust was filed as an operating entity, in which ultimately Dorr's Pine Grove Farm Company custom farmed it, and that was filed and signed by my aunt. I did not do that. She did that, and that was at the behest of my uncle, in discussions we had with him earlier, because he wanted to make sure that there was plenty of cash-flow coming out of that trust. There were 24 grandchildren who were beneficiaries of that and who were getting some of their college tuition money from that.

He said, "I would like to do it this way." He said, "We will pay you well when things are going good, but when you have a poor crop year, you are going to have to take less for your custom farming operation in order that we keep the revenue stream up for these kids for their college education."

There were also two of those children who were actually trying to consider coming back to the farm at one point, and it was the way in which he wanted it handled.

I am sorry that there is a misunderstanding on this. There is nothing in this that was falsified with the ASCS office. There is nothing that I am aware of that was done illegally. In fact, the county committee, as I have said earlier, early on in the original evaluation of this, said there was no problem.

The CHAIRMAN. Was your operation a crop share operation previously, until 1989?

Mr. DORR. Whenever, yes, prior to that it was a crop share operation.

The CHAIRMAN. Prior to 1989?

Mr. DORR. I do not know what year exactly it was, Senator, whether it was 1989 or 1988. I cannot remember for sure what year it was.

The CHAIRMAN. This is the same operation that you had from 1989 to 1995, but during that period of time you called it custom farming for those years.

Mr. DORR. That is correct.

The CHAIRMAN. Before, it was crop share; after that, it was custom farming, and yet nothing else had changed?

Mr. DORR. Correct, other than my uncle approached me——

The CHAIRMAN. Then one must ask why would you change it from crop share to custom farming? FSA looked into it and said that was not a truthful characterization; is that not right? Is that not what FSA said, that that was not a truthful characterization of the arrangement that you had?

Mr. DORR. No, they did not say it was a—they said there was a division of shares violation. They did not agree with the allocation of the capital and the management that was given to the system.

The CHAIRMAN. FSA, basically, said that it was custom farming. Did they say that was custom farming? Did they agree with you on that?

Mr. DORR. I do not know what FSA said. I do know that we did not agree with the ruling. I know that we had considered appealing it. In retrospect, I wish we had. I also know, as I stated earlier, similar to a tax audit or anything else, you make business decisions, and if, in fact, someone does not agree with them, and they are reviewed, and you look at them, and you say, "OK, fine. What is the best way to resolve it?"

It was much less expensive than hiring an attorney, spending a lot of money on legal fees, and so we decided to go ahead, and not only did we go ahead and pay the requested sum back, but we then also asked them to tell us how they wanted us to set it up so that it would be structured in a manner that they felt was proper.

The CHAIRMAN. It is my information that FSA said that nothing changed, that it was crop share all the way through.

Mr. DORR. I guess I disagree with that, but that is their interpretation of it.

The CHAIRMAN. What changed in 1989? You, yourself, just said here it was crop share until 1989, and then after that it was custom farming. I do not see that there is any change in any relationship or anything that indicates that, other than your own words on that.

Now, I——

Mr. DORR. Senator, excuse me.

The CHAIRMAN. Go ahead.

Mr. DORR. The difference is in terms of how you and others view whether or not we were paid too much for the services that we provided. Frankly, if you would discuss it with anyone in our family, with the exception of this one particular brother, they all felt that the services that they paid us for were adequate and that they intended to do that and that there was nothing out of line with regard to that particular situation.

The CHAIRMAN. Mr. Dorr, I want to move on to several other areas in which I have some concerns, a departure from this part of it to just a few more things.

I am going to go back to 1991, when you were a member of the Iowa Board of Regents. You expressed opposition to the Iowa law related to requiring minimum purchases of State vehicles powered by alternative energy sources. It was supposed to be 5 to 10 percent of all vehicles purchased. What this amounted to was an effort to provide a small amount of support for State-owned vehicles to use ethanol.

I am just reading from the transcript here of a meeting of the regents. It said, "Regent Dorr expressed his concern regarding the requirement to purchase vehicles powered by alternative energy sources at a minimum of 5 percent to 10 percent of all vehicles purchased. President Pomerantz said it is a State law. Therefore, it is mandated, and they have no choice. Regent Dorr said that requirement ties in with the whole issue of funding. The law is an extremely expensive proposition. It is a bad piece of legislation."

Do you still hold this view?

Mr. DORR. Senator, I am glad you read the document. I had forgotten about that, and I guess that was just not something that I was aware of. However, I will say this. At that point, my responsibility on the Board of Regents was one of fiduciary oversight, governance of the three universities and the two special schools as one of a nine-member board.

I am very strongly in support of ethanol, and biomass, and the utilization of biomass resources for the benefit of adding value to agricultural products in the State of Iowa and throughout the country. We have made a lot of progress in that regard.

By the same token, in that particular situation, we had a finite amount of resources, and as you heard Dr. Curris say earlier this morning, and quite frankly I had forgotten about that, as well, until he brought it up, we were having difficulty always making choices and selections about what were priorities, at that particular situation and that particular time, I obviously felt that it was a higher priority to make sure that we had adequate resources to provide educational opportunities for our students and the resources to maintain strong, viable institutions in the State, and it was a decision I made based on those obvious judgments at that time.

The CHAIRMAN. Will USDA Rural Development be less supportive of ethanol than in the past under your leadership? Rural Development has been very supportive.

Mr. DORR. Absolutely, I understand that. Frankly, Rural Development has a very vital and potentially strong role to play in the commercialization of all of these alternative fuel and value-added initiatives. I would expect them to continue to do so under my leadership if I am so confirmed.

The CHAIRMAN. I asked Mr. Keeney to stay here this afternoon. I wanted to talk a little bit about sustainable agriculture and the Leopold Center. Quite frankly, I am more than a little concerned about Mr. Keeney's testimony, and some of the things that have come up about the Extension Service and also the Leopold Center.

Sustainable agriculture has made great progress and provided new opportunities for diversification. Through sustainable agriculture, farmers have improved the quality of our environment and our standard of living.

During your time on the Iowa Board of Regents, did you try to restrict the director of the Leopold Center to further his efforts to promote sustainable agriculture?

Mr. DORR. Senator, I was a bit surprised by that statement, and to the best of my knowledge, no. There were discussions that he and I had, and he knew that I did not necessarily always agree with the direction that they were going, but to the extent that I recall my time on the board and my involvement with the Leopold Center, I thought that all of our discussions were in the context of an enlightened discussion and not one which necessarily meant that I was trying to impact the efficacy of that organization.

The CHAIRMAN. Well, Mr. Dorr, did you at any time threaten the Leopold Center's budget?

Mr. DORR. If I did, I do not recall, no. No, I, frankly, do not have any recollection of ever having threatened their budget.

The CHAIRMAN. Mr. Dorr, did you at any time ever contact members of the Iowa legislature's Appropriations Committee to carry out an intent to help cut the Leopold Center's budget?

Mr. DORR. Not that I am aware of, no.

The CHAIRMAN. Did you at any time contact any members of the Iowa legislature's Appropriations Committee urging them to cut the budget for the Leopold Center?

Mr. DORR. [No response.]

The CHAIRMAN. You do not recall that?

Mr. DORR. I do not recall that, no.

The CHAIRMAN. In 1995, well, let me ask, there was one other issue on this that Mr. Keeney said that—well, we will have to submit it for the record then. I understand, according to, again, an article that was in the newspaper, that "Mr. Keeney says that Mr. Dorr, while serving on the Iowa Board of Regents, barged into the Leopold Center's campus offices and complained about sustainable agricultural programs. Keeny said ISU officials had to ask Marvin Pomerantz, the Regents' president at the time, to explain to Dorr that he needed an appointment."

In his testimony today he said, "In order to protect my colleagues, staff and myself from similar outbursts, I questioned the propriety of this kind of action by Mr. Dorr. I was told that a member of the Board of Regents must have any meetings on campus approved in advance by the president's office."

He quoted here, he said, "The regents cannot just walk into an office and give you hell, but he was doing that, Keeney said. He would all of a sudden look up and there he was. He was badgering the staff."

Again, I am just quoting that. I am concerned about the Leopold Center.

Mr. DORR. May I respond to that?

The CHAIRMAN. Absolutely.

Mr. DORR. Let me say, first, that when the Leopold Center was originally established, I looked at it with a great deal of intrigue and interest. In fact, I am not sure if Dr. Keeney was the director at that time or not, but the assistant director, and I apologize, I cannot remember his first name, but the assistant director was a Dr. Swann. I believe he came from the University of Minnesota.

At the time that this was set up in the late 1980's, mid/late 1980's, we were in the business of retailing soybean seed and, like many dealers, had Field Days. I tried to invite a dearly departed friend of bio agriculture, now, Chet Randolph, who did show up, along with Dr. Swann. They came to our Field Day, and they made a presentation, and they talked about the Leopold Center.

Early in the development of the Leopold Center, I was intrigued, I was interested, and quite frankly I was anything but, I was very supportive. To suggest that I have had an innate, antagonism toward the Leopold Center is just not a fair characterization of my background and perception of this.

I also have had a great deal of concern over the years as to how farm policy and issues have evolved to the extent that they impact individual farm producers in a way that they are subjected to rules and regulations, and costs, and expenses that they simply cannot bear up under and continue viable operations.

One of the times, and this is the particular issue that Dr. Keeney was talking about, I was at a continuing education seminar in December 1991. I do not remember all of the specifics of the issue, but one of his staff members was making a presentation at this continuing ed seminar for commercial ag producers. That presentation, as I recollect, was given out of context relative to what the research was about. It was involving the nonpoint source pollution of water. For whatever reason, and again I do not—you have caught me a bit off guard here. I do not remember exactly why—but I knew it was out of context, and I knew it was not appropriate.

When I got done, I was rather upset, but I did not say anything there. I walked across campus, and I did walk into Dr. Keeney's office, and I asked if I could meet with him, and he said, yes. We went into his office. I do not believe I badgered any of his employees or any of the staff members. I said, "One thing I want to make perfectly clear, Dr. Keeney, is I am here as Tom Dorr, farmer, agribusinessman. I am not here as Tom Dorr, Regent."

Then we discussed this matter. He, in fact, and as I recollect, indicated that perhaps my understanding of what was said and what the research was intended to be may have been, in fact, correct. You may recall, also, that in the spring of 1990 and 1991, after some particularly dry years in 1987, 1988, and 1989, there was a deep concern for the high level of nitrates coming down through the Des Moines River watershed, through the city of Des Moines, and Mr. McMullen, I believe is his name, the head of the water system, was concerned about having to install denitrification equipment.

At the time, I said to Dr. Keeney, "When, in fact, are we going to have an opportunity to look at the research that goes back to the early 1940's, prior to the implementation of commercial fertilization and find out what those nitrate levels were?"

Unbeknownst to me, at that point, and I do not know exactly why, but he admitted that they had a young researcher on their staff that had gone back and dug through some archives and had determined that in circumstances very similar to 1990 and 1991, that, in fact, the nitrate levels in the Des Moines River were as high or maybe even a little higher than they had been that spring.

My question was, "Well, then why do we not discuss this? Why do we not have this as part of the debate? Because we are talking about instigating programs that are going to create a certain amount of expense for producers, perhaps detract from their ability to raise the proper size crop they need to sustain themselves, and implicate a lot of expense for the city of Des Moines."

He said to me, and I have not forgotten this, he said, "Well, the young researcher that did that was a very bright young man, and for that to come out at this point may, in fact, negatively impact his career."

I said, "Fine." I left it at that. I was disappointed. I let him know that I was disappointed. I walked out. I did not go to the president of the university. I did not go to anyone in his department. I did, in fact, discuss it with friends and colleagues of mine, but it was not until about 2 or 3 months later that I even had any inclination that he had gone to someone to suggest that I was acting inappro-

priately in his particular office, and the result of that was that everyone said it really was not a very big issue.

That was the gist of that particular situation, and I am, you—that it needed to be clarified.

The CHAIRMAN. Well, but you would say that if you were the Under Secretary for Rural Development that you would be promotive of programs dealing with sustainable agriculture?

Mr. DORR. I see no reason why I wouldn't. I——

The CHAIRMAN. Well, that is——

Mr. DORR. Well, Senator——

The CHAIRMAN. You wouldn't, OK. Just be honest. You wouldn't be, right? You said——

Mr. DORR. I would be, yes.

The CHAIRMAN. You wouldn't—you would be.

Mr. DORR. I would.

The CHAIRMAN. You would be supportive.

Mr. DORR. To suggest that I am not supportive of a sustainable agricultural system in this country goes against everything that I and my family stand for. My father and my uncle had no high school education. There were 14 siblings. They educated all of them on those family farms. Some of them got extended master's degrees. Over half of them did. They believed strongly in education, and they believed in the value of the land and what the farm could do for their family and for their community. They were dedicated and devoted to that rural community. My father was the president of the school board when it was built. My wife and I had been actively involved in other things in those communities. To think that sustainability in agriculture is not directly related to rural communities and rural America and is something that I wouldn't be supportive of goes against everything that I have ever lived and believed and breathed.

The CHAIRMAN. Thank you, Mr. Dorr.

Senator Thomas has been very patient. Thank you for coming back.

Senator THOMAS. Yes, well, I apologize for not being able to stay. We had some energy things going on and so on. Welcome, Mr. Dorr.

Mr. DORR. Thank you, Senator.

Senator THOMAS. Good to have you here.

I guess first I would like to say that this is an unusual hearing. I don't know that I have ever been in one like this before in my 6 or 7 years here, partly because of the approach that has been taken here and the questioning that comes from newspaper articles and things like that. That is interesting.

The second is it seems to me it is unacceptable that we have gone a year before this has been done, and I am a little disappointed in that. Nevertheless, I just hear the last of this questioning, and I guess the bottom line is: Did anyone, FSA or Government offices, find some faulty activity, some illegal activity in this payment thing that you went through?

Mr. DORR. Senator, I will—they said that there was a division of shares violation. Subsequently, there was a letter sent out that said that there was nothing criminal or no scheme or whatever involved in this. It was a difference of opinions.

Senator THOMAS. I have a letter here that has indicated did not participate in a scheme or a device to evade the maximum payment limitation regulations, which sounds pretty good.

Let me go back more to what is really more important to where we are. Could you tell me just in your view what is the mission of the Rural Development Agency as you see it, as you have looked at it and pondered being a part of it?

Mr. DORR. It's very clear that rural development up over the many years has been primarily focused on the development of infrastructure, capacity, housing, and to a lesser extent, the development of making available resources for entrepreneurial activities or business activities that had access to limited funds.

A very significant component of rural development historically was obviously the rural electrification, rural telephone systems, and development implementation.

On the one hand, it tended to, in my view, end up taking a back seat to many of the other programs in the various farm bill debates. It's very clear to me that now rural development has a very significant and substantial role to play in the sense that we are at a critical crossroads in how we define what our rural communities are going to be.

My fundamental view is that we have a responsibility to try to facilitate ways to encourage and make it exciting and attractive for people in businesses to invest in rural America so that those of us who wish to live there and reside there and have an adequate way of making a living and enjoy the environment and the benefits from living there can.

This is going to be difficult. It's going to take some creativity. It's going to take some work. In the few months that I have been in and out of town, that we have a good staff of people. There are a lot of folks who have given a lot of thought to these things, and we are well prepared to embark on this. If I am confirmed, I am looking forward to that an opportunity.

Senator THOMAS. The Congresswoman that was here this morning from North Carolina was talking a lot about the difficulties in her communities and so on. Do you think that kind of an approach will have an impact on the economy in that area particularly?

Mr. DORR. Senator, it's a struggle trying to identify the various opportunities that will be effective in these rural communities. We all know that. It's perhaps one of the things that has over the years created some problems for me, and that I frankly didn't expect I would be sitting here, but I was always trying to search for ways and means in which we could revitalize these communities.

We have to look at different ways and how we leverage our assets, both our human and our financial assets in these rural communities, in the context of congressional mandates and the congressional direction that come down the road.

I understand in the Senate farm bill there are some very significant discussion being made toward venture capital programs and that thing, and they would give us a great deal of help.

Senator THOMAS. We had a meeting in Wyoming a while back. Someone from the Kansas City Federal Reserve spoke and indicated—and I can't remember exactly the number, but a very high percentage of rural—a low percentage of rural communities now

are dependent on agriculture, that they indeed have to have other kinds of things to supplement the agricultural community, which we all want to leave there, of course.

Do you think value-added cooperatives and niche markets, that kind of direct marketing for agriculture and so on, has a place in this activity?

Mr. DORR. Well, it's clear that as we explore what—knowledge-based economics, the utilization of technology, et cetera, really, in fact, do give us a real leg up in rural America. If we can have access to broadband and if we can have access to these kinds of tools—and we can—it will make it possible for a lot of these bright entrepreneurs to exploit their niches and their opportunities in those areas, and we can, yes.

Senator THOMAS. Well, it is difficult, there is no question. Agriculture is changing, as is the rest of the world, and our agricultural markets are changing and so on. We will see change, and certainly—well, I know there is often disagreement in appointments and so on, but obviously the President has prerogative of selecting and putting forth his applicants. We have the choice here of voting however we want to, but I am glad we are doing this. This needs to be resolved. There needs to be somebody there. We need to be moving. I wish you well.

Thank you, Mr. Chairman.

Mr. DORR. Thank you.

The CHAIRMAN. Thank you, Senator. I would just say to my friend from Wyoming that I did not assume chairmanship of this committee until July and that the Senator may have prevailed, tried to prevail upon the former chairman to move this nominee. I don't know, but it was not done at that time.

Senator THOMAS. This is March, however, Mr. Chairman. July was quite a ways ago.

The CHAIRMAN. Well, I find it more than passing strange and curious that my friend from Wyoming complained loudly last year that we were moving too fast on the farm bill and a little too slow on this. Too fast, too slow.

Senator THOMAS. I have to say in fairness, this has been 9 months. There we got the word—we got the farm bill at 10 o'clock one night and voted on it the next day, Mr. Chairman. You can say what you want, but that is the way I feel about it, and I felt about it then and I will continue to feel about it.

The CHAIRMAN. The Senator is certainly entitled to his feelings.

Senator THOMAS. Thank you.

The CHAIRMAN. Let the record show that the nominations came to this committee in April. They immediately became controversial. I became chairman in June—actually, not until July did I actually get chairmanship. We did not have a full committee until July. The USDA Inspector General was investigating the FSA payment matter until September the 26th in 2001, and I didn't feel it was advisable to have a meeting on this particular individual until the Office of Inspector General had completed its investigation.

The Senator from Michigan.

Senator STABENOW. Thank you, Mr. Chairman. I would just also note that with the farm bill and all of the efforts that have gone on for months and months, I am pleased that we achieved that,

and thank you for your leadership on the farm bill, and now we are able to move on to other important things.

Mr. Dorr, I appreciate, your being here——

Mr. DORR. Thank you, Senator.

Senator STABENOW [continuing]. Your willingness to serve. We appreciate that.

The challenge for us always is in matching up individuals with particular positions, and that is really our role, to have an opportunity to ask questions and see whether or not there is a fit in terms of philosophy or perspective.

In hearing Mr. Bailey this morning speak in support of your nomination and praising your business and management skills, he said something that I was concerned about, and I am sure he meant this as praise. He said that you understand that the easiest way to kill social capital is to make a Federal grant.

My concern is that rural development is the awarding of loans and grants, in large part. We took a look at last year and through USDA, $2.5 billion was spent on rural development, much of that was grant money. That leveraged a total of $8.2 billion in Federal support for rural communities. Coming from the great State of Michigan, our small communities have relied on those loans and grants, whether it is to address sewer and water problems or to deal with other critical issues that affect our rural communities.

I am wondering if you might respond to Mr. Bailey's comment that the easiest way to kill social capital is to make a Federal grant. As Under Secretary, how would you intend to award grants to rural communities? In fact, do you agree with this statement that Mr. Bailey made?

Mr. DORR. Well, Senator, I am aware that rural development is heavily involved in making a variety of grants, particularly in infrastructure development areas. Quite honestly, I can't speak for Mr. Bailey. I'm not exactly sure to what he was referring.

I would simply say this: that Mr. Bailey knows that I believe very strongly, am very passionate about the untapped potential of many of our citizens, that they are—we have lots of folks out here in rural America who are very, very capable, who are underexploited, and who, given the opportunity, could be real success stories, real great opportunities.

What Mr. Bailey was probably suggesting was that if we feed them too much and stifle their energies and stifle their creativity, it's a mistake. Does that mean that we can't and should not sustain Federal grant programs? Absolutely, the infrastructure development programs, the broadband programs, those are all very constructive programs that we need to foster this development. That's—I feel very strongly about that.

Senator STABENOW. I am wondering, though, in the context of your role if you were Under Secretary, would you argue for additional dollars for rural development or fewer dollars for rural development in the form of grants and loans?

Mr. DORR. Actually, Senator, the President has made it very clear that he feels that this country has a strong obligation to sustaining rural America in a way in which it maintains its viability and its strength. We've had a history of a social contract with rural America, and there's nothing that I've seen or heard or, frankly,

feel myself personally that would suggest that we would want to diminish that social contract. The iterations that it takes, as you all know, change from time to time. Changes occur and we have to evaluate them. What I—in all honesty the venture capital, the rural business investment cooperative or corporation sorts of things that the Senate is looking at now in the pending farm bill make a great deal of sense. The ability to maintain adequate housing, health care facilities, and those sorts of things that come from the assistance from these various community facility loans and grants are critical.

I would make one real quick comment on that as an aside. In our hometown, when we built the nursing home, Heartland Care Center that I referred to earlier, we did a very good job at raising the initial capital. What we found out was that because we had raised enough money early on, at that point the way the programs were set up, we were not able to qualify for a guaranteed loan from Farmers Home Administration because we had raised too much money. We were too successful.

What we ended up having to do was to go to the investment banking community. There were no banks locally that could make the loan. Had we been able to get a guaranteed loan, what would have happened is our interest rates would have been lower. Our ability to sustain it and pay that note off and keep that facility viable would have been far more effective. Most importantly—and I have made this point there, then; I have made the point in some discussions with people here since—that the money we would have saved could have gone to the bottom line, been reapportioned to the employees, the people that work in those nursing homes. Frankly, we have a lot of people who work for minimum wages in nursing homes taking care of our loved ones. This is a way that we could use Government and use it effectively without a cost to make it possible to be more efficient and more effective in sustaining the jobs and those people that work in those communities. That's the thing that I would look at.

Senator STABENOW. Mr. Chairman, if I might continue for a moment?

I am wondering if you might comment on some comments that were attributed to you in the past during your time with Iowa State University, that the Extension Service was bogged down in tradition and no longer serves a useful purpose.

I should tell you that I am a twice graduate of Michigan State University, and we have not only a great land grant but an effective cooperative extension history, as well. I wondered if you could shed some light on those comments and your opinion regarding cooperative extension.

Mr. DORR. Well, in fact, you are correct. You have a very fine program at Michigan State. Dr. McPherson and some of the friends or the colleagues that he has taken there are doing a fine job.

The Extension Service, as we all know, evolved out of a myriad of grants and acts way back in the 19th century, and they were very, very significant and very effective in bringing education to the masses and helping us become a more well-educated and a more defined and a more focused society. It was very, very effective.

My concern at the time I made the comments in the newspaper here that, as times change, how quickly can the Extension Service change to accommodate those, and things are changing very rapidly and that makes it difficult. My concern was then—was whether or not the Extension Service could, utilizing all the funds that it had at its disposal, accommodate that kind of change to equip these rural communities and these rural citizens in a way in which they were able to enhance themselves.

Senator STABENOW. What was your answer to that question, what would you see as the vision for cooperative extension, or do you believe that it has in fact, outlived its useful purpose as it is currently structured?

Mr. DORR. Senator, I don't know that extension has outlived its usefulness. I know that there are an awful lot of folks struggling with how to continue to help extension evolve and make it more effective. I do know that under the last—in the last several years under Dr. Johnson, his tutelage as the vice provost of extension at Iowa State, they've done some remarkable things. They have changed and they have accommodated a lot of the things that I frankly feel are very effective.

My sense is that there are areas in which they do change, and they are changing rather readily, and when those occur, we'll find it viable.

Senator STABENOW. Thank you. One other question. In our bill that we passed in the Senate, the farm bill, it contains a provision for an Assistant Secretary of Civil Rights. I apologize if you were asked this earlier and I was not here. I am wondering at this point if you would support having someone specifically in charge of civil rights at the USDA to assist you in your position and how you would feel about having an Assistant Secretary of Civil Rights?

Mr. DORR. I would absolutely endorse that. This whole particular issue has been one that has been a bit detracting, and the bottom line is that civil rights and treating all people with respect, equally, and according them all the opportunities possible is not just the law. It is, in fact, the law. It is the moral and the right thing to do. I would support that and support that aggressively in its entirety.

Senator STABENOW. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Stabenow.

Senator THOMAS. Mr. Chairman, may I ask permission on behalf of Senator Grassley to insert this in the record? It is an addendum to his statement.

The CHAIRMAN. Absolutely. Without objection, so ordered.

The CHAIRMAN. Mr. Dorr, I have just a couple of other areas I want to cover with you, and it has a lot to do with your views on perhaps Government in general and some other views you might have as it might pertain to you as the head of rural development.

As Senators, public servants, we get a lot of strange mail a lot of times. Things come in. We can't figure out what it is all about.

Two years ago, you sent me a letter, and I don't know if you want a copy to take a look at or not.

Would you give him a copy?

You probably don't have it, so I wanted you to have a copy.

[The memo can be found in the appendix on page 217.]

The CHAIRMAN. Mr. Dorr, I don't know who was on the distribution list, but obviously I was. I don't know who else was on the distribution list. It has to do with telephone and telecommunications taxes. You said—and what you sent me was some copies of your telephone bills, three of them, to show the charges for both the Federal Universal Service Fee and the National Access Fee.

You stated in this letter, "The monthly National Access Fee per business line of $4.31 in conjunction with the 4.5 percent 'Federal Universal Access Fee' frequently exceeds the total monthly phone usage charges, which are necessary to have emergency phone lines at our individual farm and hog sites. Those taxes don't include the Federal and State excise and sales taxes."

"These taxes are confiscatory," you say. "Confiscatory." You said, "The total tax for this statement," up in the first paragraph, "is 14.65 percent." You say, "This is outrageous." "Outrageous."

There are a couple of other things I want to ask you about here, but first of all, one of the responsibilities you will have, you would have as the head of Under Secretary for Rural Development does directly link up with telecommunications and access to telecommunications. That is a very important feature in rural development.

The Universal Service Fund, of which you complain loudly about in this message you sent me, has existed since the 1930's—since the 1930's—because Congress realized that every American ought to have access to the telephone network and that a telephone call in New York City or a telephone call in Marcus, Iowa, shouldn't be any different. That was the concept of universal service, to spread the cost of the telephone infrastructure across America.

The same thing was true with electricity when REA came through. In New York City, you have 100 people on a mile of line, but in Iowa we have one person on a mile of line. It says that we keep those even. The universal service provides reduced cost for phone service where it is more expensive to provide it. It is more expensive to provide it in rural Iowa, and to low-income consumers.

In 1998, schools, libraries, and rural hospitals also began to receive the benefits of the Universal Service Fund through lower-cost access to advanced telecommunications systems such as the Internet. That is the Universal Service Fund.

Now, this has always existed in phone bills. Always, since the 1930's, since, before you were born, before I was born. Only recently, I guess, have long-distance companies begun to include it as a separate item on the bill, but it has always been there. It was used as a way of offsetting the low number of people per line that we have in rural areas.

Again, I am, quite frankly, curious about this message you sent me, including the phone bills, and the Universal Service Fee here is—on one bill you have $4.74. That is for a month. On the next one it is 3 cents—3 cents. On the next bill, it is—well, there is not one on the next bill. Why isn't there one? I don't know. For some reason there is not one on the other bill. I don't know why there is not.

Then there is a National Access Fee, which is—the National Access Fee, and that is $4.31 per month. It is not a tax. It is the cost that long-distance companies pay to local telephone companies to

help cover some of the fixed costs associated with the interstate portion of the local loop. It is not a tax. That is what the long-distance companies pay. That is the National Access Fee, and as you point out, it was $4.31.

I guess, Mr. Dorr, I am just a little curious—I am more than curious that you would be complaining so loudly about $4.74 or 3 cents for the Universal Access Fee, which has been set up to specifically help rural America.

I find that just really curious. Please respond.

Mr. DORR. Well, frankly, I am caught a little cold. You are right, it is my memorandum. I would simply state that I vaguely remember writing this. At the time that I wrote it, it was after—there was a substantial increase in the national access fee, and one of these bills, perhaps another would have been similar to it. The actual outbound or long distance service was $2.77. The access fee was $4.31.

I had an employee who lived on the farm. It was actually brought to my attention by him. He said, "How long do they expect us to be able to pay these increased taxes?" I believe there was, at that point, some significant change n the—and I don't know enough about this, quite frankly, to discuss it pragmatically, but as I indicated in my memo, the total taxes on the bill—and I'm not arguing with the access fee and the universal fee issue—but when it got down to the point that the total tax on the bill was nearly 15 percent, it does seem a bit egregious and particularly to low income people in rural areas who, in order to have a bill end up with—if they have any kind of long distance charges—a tax structure that amounts to close to 15 percent. I guess I was voicing my concern at that point, particularly as a result of my own experience, but stimulated by that of an employee.

Senator STABENOW. Mr. Chairman, would you mind if it—did not mean to interrupt, if you are going ahead.

The CHAIRMAN. I just wanted to point out, again, these are not taxes. Well, the universal access fee is. That is one that has existed since the thirties. The other one is the fees that are charged by the companies, not our taxes, not our taxes, Mr. Dorr.

Mr. DORR. All we were doing was responding to the increase in fees, the fees that come about as a result of whatever the mandates rules and regulations are that get passed on down to the consumer, and it's very difficult to maintain——

The CHAIRMAN. Well, the only one that was a tax, as I pointed out, was the Federal Universal Service Fund. It is calculated at 4.5 percent, and as you—this is what you sent me. It is on the second page that was sent out by MCI WorldCom, reflecting an increase of 4/10ths of a percent. That was—yes, that was something that we did here.

Mr. DORR. Uh-huh.

The CHAIRMAN. The reason we did that was to provide better universal service for schools and libraries to hook up to the Internet and to get better access to the Internet. I guess my point is that you complained loudly about it and yet I'm—again, I'm saying this bothers me because you are going to be the head of Rural Development, and here you are as an individual complaining about a

bill that was $4.74 and one that is 3 cents. This goes to basically help our rural areas.

Mr. DORR. Senator, I appreciate the need to maintain rural phone service. It is a very vital link. It is a necessity. On the other hand, my point was that ultimately 15 percent taxes or 14.65 percent taxes and fees, et cetera, become a bit of a burden to people in rural communities. That was my point. I'll let it rest with that.

The CHAIRMAN. Did you have something that you wanted to—I have a question, but go ahead.

Senator STABENOW. I was just going to followup with you, if you would not mind, Mr. Chairman, just indicate that, just for the record, that only 25 percent of the universal service fee listed on the bill was new as a result of the Telecommunications Act, I understand, and it was also for rural hospitals. This was done specifically in order to pay for Internet access for rural hospitals.

I do not know, Mr. Chairman, if you were going to ask about anything else in the memo, but I was concerned, in reading this, and wonder if this is how you feel at this point. The memo says "School and local government systems in Iowa alone have been subsidized so long without commensurate performance expectations, that a large number have slipped into a slothful state far exceeding mediocrity. They probably don't receive 30 percent of these taxes. They sure don't need them."

Then you went on to say, "I'm sure my rantings won't change your approach to maintaining a constituency dependent on government revenue, but should you decide to take a few side trips through the Iowa countryside, you'll see an inordinate number of homes surrounded by 5 or 10 cars. The homes generally have a value of less than $10,000." This just confirms my "10-car, $10,000 home theory." "The more you try to help, the more you hinder. The results are everywhere."

I just wondered if you would want to comment on what you meant by that?

Mr. DORR. Well, it is reasonably self-explanatory, Senator, but I feel very strongly that citizens of this country are very bright and very capable, and given the right opportunities and right circumstances can do marvelous things. I have observed over the years the—in the case of telecommunications, the increase in local and other access fees, the demands that they put on our elderly citizens in the communities, the difficulty to deal with phone bills, the difficulty that they have with keeping track of all of them and paying them, and it is something that has concerned me.

I was perhaps relating my exacerbation with that particular issue.

Senator STABENOW. Well, I was not clear, Mr. Chairman. When it says "the more you try to help, the more you hinder," I was not sure if Mr. Dorr was referring to public assistance or what that particular comment was about. Again, rural development is about helping.

Mr. DORR. You are absolutely right, and there are some very, very good programs in rural development, but my focus is more on the reliability and the success of teaching people how to fish, and I believe there's a lot of merit in that particular philosophy. To the extent that that answers that question, I hope it will.

The CHAIRMAN. Mr. Dorr, you said that—I want to get back to this universal fund. Before 1998 when schools began receiving the universal fund money, less than 30 percent of Iowa schools had Internet access. As of the end of last year, more than 77 percent of Iowa schools were hooked up. That is a credit to the universal service fund.

Again, my point is, and my question to you on this, do you oppose these initiatives like that, that help keep rural America equal to its urban neighbors?

My staff did some interesting research, found out that the Marcus School District got $5,000 from the universal service fund. My question is, do you—your letter seems to indicate that you oppose those, and I ask you here to clarify that.

Mr. DORR. No. I do not oppose the fact that we make it possible for rural communities, schools, hospitals and other institutions to have access to the same capacities and infrastructure that our urban citizens do. It's the right thing to do, and we need to do it and do it in a cost-effective way.

The CHAIRMAN. Are you opposed to the universal access fund?

Mr. DORR. No, I don't know that I would be.

The CHAIRMAN. Now, I am going to ask you this. Senator Stabenow brought it up. You said, "I'm sure my ranting won't change your approach to maintaining a constituency dependent on Government revenue." Then you said—I just repeat what Senator Stabenow. "If you drive around"—let me see this again. "But should you decide to take a few side trips through the Iowa countryside, you'll see an inordinate number of homes surrounded by 5 to 10 cars." I drive around a lot, I don't see that. Anyway, "The homes generally have a value of less than $10,000. His just confirms my 10-car $10,000 home theory."

What theory is that?

Mr. DORR. Senator, my frustration has been over the years that we have not been able to maintain strong, viable rural communities, and to the extent that we have been unable to do that and for whatever reason haven't been able to create the right kinds of economic opportunities or get the—let me go back to my earlier example when I talked about the community facility loans and our inability at Marcus to get one for the Heartland Care Center because we had raised too much money.

Had we been able to get that loan, a direct Government loan—a guaranteed Government loan to substantially lower our interest, whether it would have been 100 basis points or 50 basis points, those funds could have stayed in the community, they could have gone directly to the people working in that nursing home, many of those who are working as nurses aides and other folks. The tax structures that we have for many of our rural citizens—and I've seen them, where you have people earning not a lot of money, 30 or $35,000, but when they get all done, they may have, after taxes and after the telephone taxes and everything else, maybe $20,000 worth of expendable money. That doesn't leave them a lot to live on.

My frustration is, and what you end up with is you end up with people moving in with one another, you see devalued properties in these rural communities, and my contention is we have to figure

out a better way, a better way to make it economically possible for these people to have the kind of life that our urban cousins do. That was my frustration that I was expressing. That's the point that I'm coming from, and to the extent that that makes any sense out of that paragraph.

The CHAIRMAN. Well, certainly, I don't know that. It still understand the theory, the "10-car $10,000 home theory."

Mr. DORR. Senator, I guess I would respond in this manner. My focus, from rural economic development point of view, is that we need to clearly look at all the ways we can that create 60-hour a week jobs that pay $60,000, and forget about trying to salvage the 80-hour week jobs that are paying $20,000. That's a general broadbrush statement. We can do that. We can do that if we look at value added. We can do that if we look at other creative ways in which we can stimulate growth in these rural communities.

The CHAIRMAN. You just said 60-hour weeks that pay $60,000.

Mr. DORR. That's a—that's a general statement that I made to use——

The CHAIRMAN. Eighty-hour weeks that pay $20,000? Did I hear that correctly?

Mr. DORR. Sure.

The CHAIRMAN. An 80-hour week that pays 20,000.

Mr. DORR. There are a lot of struggling farmers that work awfully hard, put in an awful lot of hours, and don't make very much money. They're not—they're not wage—they're not base wage employees. They're independent family owners, family business owners, and it's very difficult.

The CHAIRMAN. Well, I still find this a little baffling. Then you said, "The more you try to help, the more you hinder." I assume, I can only read this as plain English, you talk about Government maintaining a constituency dependent on Government revenue. "The more you try to help, the more you hinder." That is what Senator Stabenow said. "The results are everywhere."

Well, Mr. Dorr, the way I look at it, it seems that the Dorr family has benefited a lot from Government help. Did you not, did not the Dorr farms receive farmers home loans back during the farm crisis of the 1980's?

Mr. DORR. I don't believe we received a farmer's home loan. I believe I received a guaranteed loan during the 1980's, that's correct.

The CHAIRMAN. That is a guaranteed loan.

Mr. DORR. That's correct. I appreciated it.

The CHAIRMAN. You went to college. Did you get student loans?

Mr. DORR. Yes, I did.

The CHAIRMAN. Those were Government backed?

Mr. DORR. Yes.

The CHAIRMAN. You have received farm payments.

Mr. DORR. Yes.

The CHAIRMAN. From the Federal Government, obviously. Has all this hindered you?

Mr. DORR. No. Let me make one quick comment. In my farming operation that many would like to construe as a mega corporate farm, we employed, I believe 6 or 7 full-time employees. The employee that had been with us the longest, nearly 35 years, interestingly enough his wife was in fact a Native American, raised a Na-

tive American. In our program with our employees we set up retirement accounts, health benefits and a myriad of programs to benefit them. These were, quite frankly, possible because of farm program payments and other things of that nature. These did not go to benefit the largesse of the Dorr family. We take our social responsibilities very, very seriously, and we've tried to conduct ourselves accordingly.

The CHAIRMAN. I appreciate that. I just—I just found really, really disturbing a number of things in this, this "10-car $10,000 home theory." I will read the record to get a better understanding of what you just said. I am not certain I still understand it. I am really concerned about that kind of an attitude. It is almost—I do not know, it is almost like poking fun at poor people. Maybe you did not mean it that way, and I will take you at your word you did not, but it almost seems that way, that you poke fun at poor people. A lot of times they live in a run-down house.

I once asked someone. I said, "How come there are so many cars here?" They said, "Well, because they're all so bad we had to junk one to take care of the other."

Mr. DORR. Senator, I was not poking fun at poor people. I was lamenting the fact that we have far too many of them, and I was looking in my own perhaps poor way, at ways in which we could figure out to help them out of that.

The CHAIRMAN. Well, Mr. Dorr, you have been very patient, and you have been more than generous with your time.

I have to ask unanimous consent to include in the record letters to the committee that oppose or express concern about the nominee.

[The letters can be found in the appendix on page 220-348.]

The CHAIRMAN. There are perhaps some other things that we could go through, but that we have spent a good deal of time here. This committee will just have to deliberate on this.

I would say that we do have some matters from the Office of Inspector General, which we cannot go into here. It is my intent, and I spoke about this, I believe, with the ranking member, about having a committee meeting to discuss the matters that were in the OIG report, which is confidential, and which we cannot bring out to the public record due to the Privacy Act and things like that.

Well, Mr. Dorr, again, it seems to me that you are certainly an interesting individual. As I said when I saw you last week, to the best of my knowledge our paths never crossed before. You reminded me that maybe we did at one time or another. There are a lot of your friends who are here who are supporting you, and many of them I respect highly. There are a lot of your neighbors who speak very, very highly of you. Then again there are some neighbors that do not speak too highly of you either. Those letters have been included also.

This is a vitally important position at the Department of Agriculture on Rural Development. In our deliberations on the Senate Agriculture Committee we probably spend as much time and effort and energy on the Rural Development section as we do anything. Because we realize as does the House, that we have to have more of an effort in rural development as part of agriculture. We have a provision in our bill that sets up a rural equity fund, in which

the Federal Government will put in 150 million, $150 million. That seems to have good support here and on the House side. You can understand my concerns at some of the statements that you have made in the past, and some of the things that are on the record that give me pause as to whether or not you would see it as your mission to take that and move that ball down the field aggressively, and to say, "Yes, the Federal Government has a role to play here." We need equity investments in rural America.

Mr. DORR. That's correct.

The CHAIRMAN. To the extent that the Congress wants it, we are going to put in money to help invest in new enterprises, new businesses in rural America. The last thing we need is someone heading the Rural Development division that thinks that Government support hinders people, and that somehow that is not a proper role for us.

I would think that if you take that attitude into the Department, you are going to have a lot of problems with this committee and the committee on the House side. They will be breathing down your neck every day to find out just how much you are doing to promote rural economic development with Federal help, with Federal intervention, with Federal support, with Federal guidance, with Federal direction. This is not the State Government, it is the Federal Government.

Yes, I agree with you, a lot of times we make mistakes around here, we do not do things right. A lot of times programs live beyond their usefulness. I have to agree with you on that too, that is true. We devise these programs and devise these things to try to meet emerging needs that are out there. We put a great deal of emphasis on rural development. Energy, developing energy resources in rural America. Broadband access, we had $100 million in our bill for broadband access. Rural water, waste water. In fact, I would say that in the scheme of things in terms of what is going to happen to rural America, that takes its place as equally as important, rural development takes its place as equally as important as the commodity support programs that we have.

Mr. DORR. Absolutely.

The CHAIRMAN. Just as we would take pause here to approve someone for the head of the commodity programs who was opposed to the commodity programs, we would take pause to appoint someone who maybe does not see a proper role for the Federal Government in rural economic development. That is probably a lot of the concern here. That is my concern.

That does not get to the other issue, the major issue that Senator Dayton and others brought up, but that is why there is a lot of concern about your nomination. I do not doubt for a minute that you are a good person. Too many of my friends whom I trust and for whom I have a great deal of respect, think very highly of you. You ought—I have no qualms about your person, that you are a good person and a caring person. I just assume all that. It is just where you are in your mindset in terms of the role of the Federal Government and how aggressively you would pursue your job as a head of Rural Economic Development, and to take the tools and the things that we have given to the Department to carry out, and

whether they would be carried out aggressively and forcefully, or would it be doing the minimal that is required. That is my concern.

I would yield to you for the last word today.

Mr. DORR. Thank you, Senator. Let me say first that until a year ago I had no idea that I would be considered for this position. To the extent that I have said things in the past that have been misconstrued or misinterpreted, or perhaps less than sensitive in the perception of some people, I truly regret that. There was no intention to do that. I have, as been outlined by several here today, always been one who enjoys thinking about issues and thinking outside the box, and perhaps doing it too aggressively in some cases.

On the other hand, I would like to assure you that if I am given the opportunity to be confirmed for this position, that there are—and I have had the chance to look at the tools in the Rural Development toolbox, and that there are a myriad of very intriguing and interesting opportunities in there. I do strongly believe that rural America will only be as strong and will only be as effective and as vibrant as we are using those tools now. That suggests that I would continue to use them in the traditional and the ongoing ways that have always been there. I suspect not. I suspect I would push people that I was responsible to, and in conjunction with consultation with you and other Members of Congress as to new initiatives and new ways to go about this.

Frankly, I'm aware, very much aware of your initiatives in the environmental arena and in the energy arena. Wind energy is a great example. I really think that wind energy has a tremendous potential, particularly for those of us that live in the Buffalo Ridge area of the country, and there are a myriad of other areas that have similar capacity.

One of the things that intrigues me, as an example is, is there a way to structure those so that we just don't go out and on a royalty-fee basis allow some electric company to come in and put a tower up and we walk away with $2,000 a year in towers—tower royalty fees. In fact, is there a way that we can collaboratively and collectively own those farms as producers in whose land it's on? Can we work out arrangements to work with rural communities that have municipal electrical systems so that we can tie our systems, the rural electric wind systems, into those things?

These are areas that I have not seen a lot of thought given to, at least in my limited exposure to these things. There are lots of ways that we can leverage the asset base and the people base in rural America in new and different and creative ways that have the ability to give us strategic and regional opportunities that would go far beyond our grandest expectations. I've seen it. I've seen it in various areas of the country. I've seen regions of the country where they have fantastic, sophisticated manufacturing facilities or very unique value agricultural added facilities, but they don't always work in the same old structure that we're used to. That kind of change I recognize is sometimes hard to understand and hard to come by, but with someone with leadership and management skills and the right level of encouragement and the right level of urging, we can effect a lot of those changes. That is possible, and I don't quibble with you in terms of your view that we need Government resources to do that.

I would merely part with the fact that I don't discount Government and all Government programs. What I do suggest and what I do submit is that there are sometimes other ways that we can take a look at doing them. I am older. I am more mature than I was 2 years ago or 5 years ago, and frankly, I know that you can't make these changes overnight, you can't make these changes in 4 years or 8 years or 2 years, but I do think with the right kind of leadership, we can do some things that are very intriguing and very constructive.

I appreciate the time that you've taken yourself and with your staff and your committee today, and if confirmed, I'll look forward to working with you.

The CHAIRMAN. Thank you very much, Mr. Dorr.

We will include in the record the statement of Neil E. Harl.

[The prepared statement of Mr. Harl can be found in the appendix on page 126.]

The CHAIRMAN. Since there is no other business, obviously, to come before the committee, the committee will stand adjourned until the call of the Chair.

[Whereupon, at 4:28 p.m., the committee was adjourned.]

A P P E N D I X

MARCH 6, 2002

HEARING STATEMENT
FRED DAILEY NOMINATION TO BE ON BOARD
OF DIRECTORS OF THE FEDERAL
AGRICULTURAL MORTGAGE CORPORATION
SENATE AGRICULTURAL COMMITTEE
U.S. SENATOR MIKE DEWINE
WEDNESDAY, MARCH 6, 2002

It is my honor to join Senator Voinovich in introducing a good friend from our home state of Ohio -- Mr. Fred Dailey. I also welcome Fred's daughter, Calley [cahl - ee]. I am pleased to be here to share this important day with you as the Committee considers Fred's nomination.

I cannot think of a better person to serve on the Board of Directors of the Federal Agricultural Mortgage Corporation. I have known Fred for many years. By working with him when I was Lieutenant Governor of Ohio, I witnessed up-close his dedication to Ohio agriculture. He knows the issues inside and out.

There is no question, as Senator Voinovich already mentioned, that Fred has ample experience behind him to fulfill the duties of this position.

With our recent debate over the Senate Farm Bill, my colleagues and I know how important agriculture is to this country. I am confident that Fred's professional background and expertise will serve the Federal Agricultural Mortgage Corporation, and our country, well in this assignment.

Let me conclude by thanking Fred and his family for their many years of public service -- and thanking them in advance for their continued commitment. I wish Fred the best of luck in this process, and I thank the Committee for giving me the opportunity to say a few words about my friend Fred Dailey.



Statement by Senator Chuck Grassley (Addendum)
Before the Senate Agriculture Committee

March 6, 2002

When I first gave my statement I was unaware of the Des Moines Register article this morning referencing comments made by Tom Dorr. Some individuals have now implied that Tom's intent to make sure that his father's farm was eligible to participate in farm payments is at best a dishonorable pursuit and at worst criminal.

The assumption that this was dishonorable or criminal is absolutely false. Quite frankly, I'm discouraged that the folks making these accusations know so little about current agriculture policy.

Anyone following the farm bill debate should realize that this is exactly what is wrong with the farm program. The current program "requires" farmers to develop multiple entities to benefit from farm payments. No family farmer commits a crime when they diversify through multiple entities, the current farm bill is structured to reward farmers for good business practices by developing entities due to the "Three-Entity Rule". Family farmers like Tom are just trying to comply with the complicated farm program payment component Congress created years ago. Family farmers manage minimum payment limitations by developing multiple entities because that's what the program demands. And let there be no question, the program DEMANDS participation in multiple entities for compliance with the program.

My colleagues in the Senate that voted for my payment limitation amendment to the farm bill should understand this point. This is the core problem with current farm policy. I am adamantly opposed to the "Three-Entity Rule" because it forces farmers to participate in multiple entities through partnerships and trusts and LLC or other corporate entities to manage their farm. Lawyers shouldn't be the only people that really understand how to keep a farm in compliance with the farm program.

According to the transcript of the tape in the Des Moines Register even Tom was somewhat unsure the land being managed by the trustees was in compliance. In fact, the county committee that first reviewed the trust's participation in the farm program believed it was structured properly, and then the state reversed this decision. The trustees repaid the payments the farm had improperly received and restructured the farm so that it would be in compliance.

Frankly, if members supported my payment limitations amendment they should be sympathetic to Tom Dorr's dilemma, not hostile toward Tom because he was trying to be a conscientious manager and trustee.

CONGRESSWOMAN EVA CLAYTON

North Carolina, First District

Statement before the Senate Committee on Agriculture
regarding the proposed nomination of
Thomas Dorr for Undersecretary for Rural Development

March 6, 2002

Good Morning Chairman Harkin and Ranking Member Lugar. I appreciate the invitation to appear before you today regarding the nomination of Thomas Dorr for Undersecretary for Rural Development at the Department of Agriculture. As you may know, I have long had a great interest in the topic of rural development, especially for underserved and minority communities such as those that I represent in the 1st District of North Carolina. With your consent, I ask that my entire statement and attached materials be entered into the record.

I come before you today on behalf of the almost 20 members of the Congressional Black Caucus who wrote to you expressing "deep concern regarding the proposed nomination of Tom Dorr." I am glad that you have called this hearing today to give Mr. Dorr an opportunity to explain some of his past statements and also to lay out his vision for rural development at USDA, particularly for underserved and minority communities.

Mr. Dorr visited with me earlier this week and I was pleased to listen and discuss the issues raised here in my testimony. I shared with Mr. Dorr that my only knowledge of him were the insensitive and troubling remarks reported and explanations would need to reach a very high bar indeed to overcome the hurdles that he has placed before himself.

I would like to stress at the beginning though that this hearing ought not to be simply a referendum on Mr. Dorr's statements regarding economic development and ethnic diversity, though it should be a topic of discussion. Rather this hearing must concern much larger issues. It should be about the decline of rural America. It should be about the tremendously disadvantaged communities in rural areas throughout the country, about Mr. Dorr's vision for the resurrection (revitalization) of these communities, and about his qualifications to do so.

Let us make no mistake about the importance of this task- for hundreds of communities across the country, this is a matter of seriousness and urgency. I represent the 1st District of North Carolina. The 1st district of North Carolina is a majority black, rural district in Northeastern North Carolina. My district has been hit hard in recent years -- repeated hurricanes, loss of textile and manufacturing jobs, and serious downturns in the agricultural economy have all taken a serious toll on the communities I represent. The "rural problem" of which President Theodore Roosevelt spoke almost one hundred years ago continues to exist in Eastern North Carolina. The Administration and the Senate Agriculture Committee should consider carefully the extent to which this nominee for Undersecretary for Rural Development has the capacity, the creativity, and the energy to approach the tremendous challenge posed by our struggling rural communities.

I would also like to stress that the needs of rural America go far beyond agriculture. No one familiar with rural communities could fail to understand the critical importance of the

agricultural economy for rural communities. The farm sector has long played an important role in the prosperity of rural families across America. But rural America does not end at the field's edge. In fact, statistics bear witness to the fact that we must think beyond the farm sector when working for the revitalization of rural America.

Today, farm income amounts to less than 3% of total rural personal income. Even among farm families, only 12% of total farm income comes from farming. And in 1999, 90% of all farm operators' household income came from off-farm sources. Given these statistics, it is surprising that Mr. Dorr's vision for rural America involves farms of over 200,000 acres and increasingly large and vertically integrated livestock operations. This has been especially troubling for North Carolina small farmers, where more than 90% of the state's hog farmers have gone out of business in the past decade, a period of time when the state's hog population increased by 400%. Vertically integrated livestock operations can contribute to the decline of our rural communities, as they employ far fewer workers, purchase their feedstock and supplies from corporate suppliers rather than local businesses, and have a higher rate of permit violations and environmental problems than traditional family farms.

As large farms have gained marketshare, there has been no commensurate improvement in the fortunes of small and medium farmers. If they are able to stay in business at all, many of these farmers are forced to fight for an ever-dwindling share of the agricultural market. In addition, those who are unable to maintain the economic viability of their farms find themselves faced with limited off-farm employment and educational opportunities.

To reinvigorate our rural communities and farm economy, we need someone with a commitment to support family farms as strongly as he supports big corporate farms and who recognizes that simply increasing the scale of the farm economy will not be a panacea for the ills of rural America.

Thomas Dorr's preference for large-scale agriculture and his statements linking lack of diversity with economic prosperity simply do not mesh with the mission of USDA's Rural Development. The USDA Rural Development Long-Range Plan 2000-2005 states that program delivery depends on working in partnership with "small farm operators and organizations that represent small farm interests; minorities' organizations; and community-based and nonprofit organizations." When this plan was written, only two outside documents were included: the Civil Rights Action Team's Report, Civil Rights and the United States Department of Agriculture, and the report of the National Commission on Small Farms, A Time to Act. USDA has a legislative mandate that priority should be given in the delivery of programs to the smallest and poorest communities.

I would now like to reference the letter from members of the Congressional Black Caucus to the Senate Agriculture Committee leadership that is the impetus for my appearance here today. This letter enumerates quite clearly the issues that require serious examination by this committee.

The letter notes first Mr. Dorr's statements at an agricultural conference sponsored by

Iowa State University in December of 1999. While I am aware that many here are familiar with these comments, I believe that they are worth noting. I quote:

> And I know this is not at all the correct environment to say this, but I think you ought to perhaps go out and look at what you perceive the three most successful rural economic environments in this state...you'll notice when you get to looking at them that they're not particularly diverse, at least not ethnically diverse. They're very diverse in their economic growth, but they're very focused, uh, have been very non-diverse in their ethnic background and their religious background and there's something there obviously that has enabled them to succeed very well.

That Mr. Dorr would make a comment such as this is puzzling at best, deeply offensive at worst. He did share with me the context and how the remarks came to be made. I, for one, cannot help but wonder what the correct environment for such comments would be.

However, it is imperative that we not simply look at this statement in isolation. These comments, and the nomination of Mr. Dorr for Undersecretary for Rural Development must be placed within a long history of civil rights discrimination and struggle at the Department of Agriculture. The civil rights abuses at the Department of Agriculture are well known. The consent decree of the Pigford V. Glickman class action lawsuit by black farmers has led to the payment of hundreds of millions of dollars to farmers who have made it through the complicated settlement procedures. These settlements are just a fraction of the real losses that these farmers and their families have, and in most cases, continue to face. For those farmers who are still farming, there continues to be insensitive and in some cases racist application of our current credit laws. For a farmer not to receive credit in a timely manner basically denies them the opportunity to farm in our rural sector.

The Congressional Black Caucus has endeavored for many years to rectify the Department of Agriculture's bias against minority farmers and to improve the capacity of USDA to work with minority and economically disadvantaged farmers. In light of the fact that members of the Congressional Black Caucus, as well as numerous other members of Congress, have worked on these issues for so long and considering as well the likelihood that these efforts will need to continue for many years into the future, Mr. Dorr's nomination is puzzling. To confirm Mr. Dorr as the Undersecretary for Rural Development without a deeper investigation into his sentiments regarding ethnic diversity would send the message that the Administration lacks an adequate commitment to civil rights and minority farmers.

I ask as well that the Committee bear in mind the unfortunate fact that many of the poorest communities in our country, those most in need of rural development assistance, are rural communities of color, stretching from the Indian reservations of the Southwest, to the Latino border communities, and across to the deeply impoverished black belt of the Southeastern United States. The Undersecretary for Rural Development is charged, above all else, with working with these communities and supporting them in their own efforts to create sustainable livelihoods for their residents.

The intersection of race and poverty is not a coincidence nor should it be incidental to this hearing. Disadvantaged rural communities throughout the country know what it means to be disregarded and ignored by economic development experts, by state officials, by federal programs. And while this disregard may not be intentional or malicious, it is no less real

and no less painful to those communities or their residents. While it is certainly not my intent to tar Mr. Dorr with the accusation of racism, I do urge the committee to remember that race and rural poverty go hand in hand. While there is certainly more than enough disadvantage in rural America to go around and while I am all too aware that poverty knows no racial or ethnic boundaries, it is nonetheless the case that, for communities of color, poverty is persistent, deeper and considerably more widespread.

In assessing the qualifications of Mr. Dorr for Undersecretary for Rural Development, I ask the Senate to step back and to look at the long history of discrimination of which I have spoken. The question before the committee should not, in my opinion, be whether or not Mr. Dorr's comments were, in themselves, unsettling enough to accept or reject his nomination. Rather, the question is whether or not the Administration has brought to bear on the nomination the care that is necessary to ensure that the eventual appointee is not just aware of this history of discrimination, but actively concerned about it.

Opening Statement
by
Fred L. Dailey, Nominee
Board of Directors
Federal Agricultural Mortgage Corporation
before the
Senate Agriculture Committee
Confirmation Hearing
March 6, 2002

Good morning Mr. Chairman and members of the Senate Agriculture Committee. My name is Fred L. Dailey and I have been nominated for appointment by President Bush to the Board of Directors of the Federal Agricultural Mortgage Corporation. I appreciate the opportunity to appear before you today and I would like to share with you my background, as it relates to this appointment, and my enthusiasm for our nation's agricultural industry.

A native Ohioan, I was reared on a small farm in Knox County and developed an interest in agriculture at an early age. This interest was galvanized by my membership in 4-H and a four-year stint as a member of the Mount Vernon Chapter of the FFA. My projects included beef calves, a dairy heifer, hay and corn. I was also a member of the 4-H Saddle Club and I had great aspirations of being a professional cowboy. Many years later, at the age of 33, I spent a week at Jim Shoulder's Bull Riding School at Henrietta, Oklahoma, which convinced me that I should keep my day job.

Following graduation from high school, I attended Anderson University in Anderson, Indiana, where I studied biology. Following my freshman year, I decided to work for a year before returning to college. In the interim, I was drafted and volunteered for jump school. I served with the 101st Airborne Division in Viet Nam and with the 82nd Airborne Division in the United States. Following my discharge from the military, I returned to Anderson University and graduated with a degree in political science and history. While in undergraduate school, I was very active in extra curricular activities and served as the President of my social club, President of the Young Republican Club, President of the Senior Class and Captain of the wrestling team. I also was married during my senior year.

Following graduation, I worked as a prison guard and correctional counselor at the Indiana Reformatory which is located near Pendleton, Indiana. After two years at this institution, I became a Sky Marshal for the U.S. Treasury during the hijacking crisis (1972-3). I left this job to pursue graduate work at Ball State University, Muncie, Indiana, where I obtained an MPA degree. I also returned to my agricultural roots by my employment with the Division of Agriculture at the Indiana Department of Commerce. In 1974, I ran for the State Senate and was defeated. When I returned to work, I was appointed to the position of director of the Division of Agriculture by the Indiana Lieutenant Governor who serves, by statute, as the Indiana Commissioner of Agriculture. I continued this employment until 1981 when the administration changed.

In 1982, I returned to my native state and accepted the position of Executive Vice-President of the Ohio Beef Council and, subsequently, the Executive Secretary of the Ohio Cattlemen's Association (OCA). During my term with the OCA, membership increased from 450 to over 1800 members. I started a magazine entitled "The Ohio Cattleman" and I penned a column called "Ridin' the Eastern Range". Attendance at our annual meetings increased from 200 to over one thousand and we established the Ohio Beef Expo where attendance shot up to five thousand. This event has since grown to 25,000 attendees.

Governor Voinovich, now Senator Voinovich, asked me to serve in his administration as director of the Ohio Department of Agriculture in 1991, a job I still hold today. I am starting my twelfth year in that position and I have served under three governors in Ohio and one governor in Indiana. In this position, I oversee nearly 500 employees whose jobs are primarily regulatory. My biggest accomplishments in this position have been rebuilding our ODA campus and laboratories, hiring competent managers and employees, modernizing our laws, rules and regulatory programs, and providing services to Ohio's agricultural industry. I have also served as president of the National Association of State Departments of Agriculture. The new programs that have been established in this department during my tenure include: international trade, rural development, grade A dairy program, auctioneer licensing, livestock show reform act, and the permitting of large livestock and poultry operations. We have also handled a number of high profile regulatory cases including a year-long investigation into the tampering of exhibition livestock which resulted in 16 felony and two misdemeanor convictions. Our department has been very involved with bio-terrorism preparedness and we routinely run up to 500 anthrax tests each year. Most of our regulatory programs relate in some way to food safety.

I currently reside on a family farm that is located about 45 miles northeast of Columbus, Ohio. We raise Angus cattle on our 270-acre farm. My wife is a school teacher at Mount Vernon High School and serves as chairperson of the English Department. I have three children. My youngest daughter, Calley, a college student, is here today.

As you can see from this brief biography, most of my professional career has been intertwined with farmers and agriculture in some manner or another. You can also readily see that I am not a banker, yet I am interested in this appointment because it allows me to further serve our nation's agriculture industry by assuring that there will continue to be a ready and competitive secondary market for agricultural mortgages. Our agricultural industry has become very capital intensive and by serving in this position, I am hopeful that I can carry out the mandates of this program as envisioned by the Congress and that we can continue to provide an ever-growing secondary market for agricultural mortgages, thereby assuring the continued availability of reasonably priced credit to our producers and agri-businesses as well as capital to our rural banks and credit institutions.

Thank you, again, Mr. Chairman for inviting me to appear before your committee. I would be happy to answer any questions at this time and I want to thank you for your thoughtful consideration of my nomination.

Statement of Grace Trujillo Daniel, Nominee
Federal Agricultural Mortgage Corporation, Board of Directors

Mr. Chairman and Members of the Committee, my name is Grace Trujillo Daniel. It is my honor and privilege to testify before you today as the nominee of President George W. Bush to the position as a member of the Federal Agricultural Mortgage Corporation, Board of Directors.

If confirmed by the Senate, I look forward to serving on the Farmer Mac Board to insure liquidity to lending institutions that provide loans to agricultural borrowers. I fully recognize the important role agriculture plays in the strength of the US economy and the need to enable farmers and ranchers to access much needed financial resources.

I would like to briefly discuss with you my credentials for the position and how I can provide this experience to Farmer Mac's Loan Programs.

As Director of the California Small Business Office and the Small Business Advocate for the State of California, I became familiar with government guaranteed lending and the importance of providing financial flexibility to developing small businesses and rural farming communities. In that capacity, I was responsible for the management of the eight California Small Business Financial Development Corporations that provided loan guarantees and direct farm loans.

I am proud to say that during my tenure, from 1992 to 1996 we increased both the dollar amount of the state's trust fund, from $30,000,000 to $70,000,000 and doubled the number of guarantees from 200 to 400 and almost doubled direct farm loans from 28 to 52. The United States Department of Agriculture, Farm Services Agency, provided guarantees.

In closing I would like to restate my feelings about the great honor I feel for being nominated by President Bush to this board and the commitment I have to serving my country in this capacity. I truly feel that my background and experience have prepared me for this position.

If confirmed, I will seek the advice of the Federal Agricultural Mortgage Corporation staff and Board Members, this committee and other members of Congress, as I attempt to effectively discharge the duties as a member of the Federal Agricultural Mortgage Corporation Board of Directors.

Thank you for your consideration.

STATEMENT OF NANCY S. BRYSON
USDA NOMINEE FOR GENERAL COUNSEL
To The
U.S. Senate Committee on Agriculture, Nutrition and Forestry
March 6, 2002

Mr. Chairman, and distinguished members of the Committee, it is an honor for me to appear before you today as President Bush's nominee for the position of General Counsel of the Department of Agriculture.

I thank the President and Secretary Veneman for the trust and confidence which they have placed in me. If confirmed, I will work to the best of my ability to faithfully discharge the duties of my office, and I will always conduct myself in a manner that reflects creditably on the United States.

I would like to introduce my family members who are here today with me in the audience. They include my husband, John Bryson, my two sons, Sam and Alex Bryson, my mother Marjorie Southard, my sister, Susan Southard, my brother James Southard, my mother- and father-in-law, Mary and Brady Bryson, my sister and brother-in-law Linda and Tom Lucatorto, and my cousin, Donna Whitman.

My goal, if confirmed by the Senate, will be to provide the best possible legal advice and counsel to the Secretary on the many challenging issues facing the Department of Agriculture. I look forward to working with USDA's strong professional legal career staff to achieve this goal and to a close working relationship with this Committee.

I was born and grew up in the small rural community of Hancock, Massachusetts. For much of my life there, Hancock had a larger population of dairy cows than people. I was an active member of our local 4-H Club while I was growing up. I worked summers during college in a farm machinery business owned by one of my uncles. I went to Boston University on a full scholarship, and then to Georgetown University Law Center, here in the District.

I have spent my legal career as a practicing lawyer. I began as a government attorney first at the Department of Labor and then at the Department of Justice. In that capacity I learned how to try cases (civil and criminal), how to prepare and argue them on appeal, and how to work with the Solicitor General's office on Supreme Court cases. I learned how the Department of Justice functions at the working level and how it interacts with its client agencies. I learned the administrative and managerial aspects of running offices full of busy lawyers - including staffing and supervision of legal work, providing effective performance evaluations, managing resources so as to get the greatest possible value, negotiating differences of opinion about the optimum legal strategy for particular matters.

I left government service after nine years to explore the opportunities of a Washington legal practice, joining Crowell & Moring in 1984. I built a successful environmental law practice at the firm in this highly competitive field. That practice has been a constantly evolving one, as the

breadth of what are considered environmental law issues has continued to expand. I have worked with clients on legislative initiatives in the reauthorization of federal pesticide law, including the Food Quality Protection Act and Clean Air Act regulation of nontraditional sources. During the past several years I have developed an interdisciplinary practice in biotechnology and have represented clients working to secure approvals for innovative products at EPA.

When I look at the full spectrum of laws and programs which USDA administers, I see both a great challenge and a wonderful opportunity for the lawyer who becomes General Counsel at USDA under the leadership of Secretary Veneman.

I am keenly aware of the importance Secretary Veneman has placed on ensuring USDA's compliance with civil rights and equal employment opportunity for everyone. I share the vision which the Secretary has expressed in her Civil Rights Policy Statement - consistent education and outreach to ensure civil rights are protected, our laws are enforced, and discrimination in any form is prevented. I will work to implement that vision.

I look forward very much, if confirmed, to serving my country as General Counsel at USDA in this Administration, working for this Secretary, and with the highly professional OGC staff and this Committee.

Thank you again, Mr. Chairman.

Statement of Thomas Dorr
Nominee for Under Secretary of Agriculture for Rural Development
To the
U.S. Senate Committee on Agriculture, Nutrition, and Forestry
March 6, 2002

Thank you Mr. Chairman, Senator Lugar and Committee members. Senator Grassley, I am most appreciative of your kind and gracious introduction. I am deeply honored by the nomination of the President to serve as the Under Secretary for Rural Development. It is with a great deal of humility that I appear before you today in this confirmation process.

I am a farmer from Marcus, located in northwest Iowa. My great grandfather, a German immigrant, was the first homesteader in Amherst Township in Cherokee County. Even today a single large tree marks the spot near the creek where he built his first sod home. As a fourth generation farmer, I operate a corn and soybean farm, grain elevator and warehouse, and also finish swine in a business with other family members.

I am the second child and eldest son of a family of nine children. Only two of us, my brother Jon and I, remain in production agriculture. My father is deceased, and although my 80 year old mother, Margaret Dorr, would liked to have been here, her health precludes that. However, without my parents' guidance, support, and love, I would not be here today.

I would like to introduce my wife of over 30 years, Ann, and our children, Allison Kleis of Des Moines, and her husband Karlton, and our son Andrew, presently a senior at the University of Iowa. Two of my brothers, Philip and Kurt Dorr of the Chicago area are here as well.

Finally, I would like to introduce another friend from Marcus, Rod Ogren. Rod is the Director of Economic Development in Marcus.

These friends, family members, and many others have supported me in the quest to maintain the family farm for nearly thirty (30) years. The view that there is a special and unique synergism between the value of family and farms is not a myth. It is real, and worth protecting and revitalizing. Farming is one of the very few endeavors in which those who labor realize they truly don't control their destinies. A higher order, God, or the forces of nature, however you view it, create a particularly unique set of circumstances which make it necessary for farmers to develop relationships with their families and neighbors in order that they may survive.

My father and mother embodied this realization by their examples of civic and community involvement. It was their philosophy that to whom much was given, much would be expected. Early in my career I was urged by my parents to be responsive to the needs of our community and agriculture.

After spending nearly eight years attending college, serving in the military, and working for an educational research organization, I returned to the family farm in early 1972. At that time agriculture was viewed as a dynamic and growing business. We were going to feed the world!

In the mid 1970's I became actively involved in the Iowa Corn Growers Association, served on its board of directors, and worked hard to pass the first state-wide corn check-off in the nation. Later, I was selected by my peers to serve on both the Board of Directors and the Executive Committee of the National Corn Growers Association.

In addition to my agricultural activities, I was nominated and confirmed to serve a six year term on the Iowa Board of Regents, and I served two three (3) year terms on the Board of Directors of the Federal Reserve Bank of Chicago.

But, of all my efforts in public service, those involving local issues have been the most meaningful to me. One example is the successful development of the Heartland Care Center in Marcus. I helped organize and became the first President of its Board of Directors.

The Heartland Care Center initiative led to a successful community wide effort which resulted in the construction of a much needed 50 bed extended care and nursing home facility. It is significant because it helped maintain the viability of our rural community. Instead of having to place elderly family members in facilities 15 or 20 miles from our community, this licensed home now allows our loved ones to remain near their families. In addition to solving this very personal need, it also created job opportunities within the community.

But significant changes are taking their toll on the rural landscape. Since the late 1980's two major events have had a dramatic effect on the structure of rural America: the development of the Internet and related technologies, and the growth of global competition. However, if we can determine how to treat these and other changes as opportunities, I believe it may be possible to revisit the dynamics of the early 1970's.....the period which so effectively enticed Ann and me, and many more like us, back to the family farm.

Examples of these possibilities may involve focusing on how to conserve and utilize the natural resource base of this country. By developing ways to cost-effectively generate renewable energy resources, improve water quality through farmer-owned filtration opportunities, or other yet unknown means, we may have the potential to develop significant new income sources for America's farmers and ranchers.

These are just a few examples. But the issue becomes, how do we preserve the integrity of rural America for those who not only do the farming, but for those who support and share in the risks of living in rural areas? It is a difficult charge, one which all of us who love rural America and live in it have struggled with for some time.

Hopefully, by working together with you to explore these and other possibilities, our collective efforts will make them relevant, accessible, and profitable for rural America. So if confirmed, I look forward to working with each of you to make this rural rejuvenation, which all of us so desperately desire, a reality. Thank you for your consideration. I look forward to your questions.

Testimony
Of
Dennis R. Keeney*

United States Senate Committee on Agriculture, Nutrition and Forestry

March 6, 2002

Mr. Chairman and Members of the Committee, I thank you for inviting me to testify regarding the pending nomination of Thomas Dorr as Undersecretary for Rural Development. My interactions with Mr. Dorr are in large part concerned with the Leopold Center for Sustainable Agriculture and the Certified Crop Advisor Program.

The Leopold Center for Sustainable Agriculture, named for the prominent Iowa naturalist and author Aldo Leopold, was the foremost program created by the landmark 1987 Iowa Groundwater Protection Act. According to the legislation ***"The center shall conduct and sponsor research to identify and reduce negative environmental and socio-economic impacts of agricultural practices. The center also shall research and assist in developing emerging alternative practices that are consistent with a sustainable agriculture. The center shall develop in association with the Iowa cooperative extension service in agriculture and home economics an educational framework to inform the agricultural community and the general public of its findings."*** The legislature defined sustainable agriculture as one that maintains ***"economic and social viability while preserving the high productivity and quality of Iowa's land."*** The Leopold Center is funded from the state's general fund and from fees on nitrogen fertilizer and pesticide sales. The Center was established in 1987, I took the position as Director in fall of 1988.

The Leopold Center was the first fully funded center of its type in the United States. No other organization had been placed within the land-grant system and given a mandate to address the larger issues of agriculture (social and economic as well as environmental) in the context of sustainability. It represented a departure from business as usual at Iowa State and other land-grant colleges of agriculture. It was controversial to say the least, not only in Iowa but also nationally. Some thought the term "sustainable" meant "organic" or even a move back to "hoes and fish-heads." Others had major concerns that funds from fertilizer and pesticide sales were being directed toward research that would not promote their use, and indeed might actually cause yield reductions in Iowa, putting the state at a disadvantage in the production of bulk commodities. And the inclusion of social issues as part of "sustainability" worried those who thought this was not a part of the mission of a college oriented to production agriculture. Some even saw the Center as part of an agenda to control agriculture.

Against this backdrop of conflicts, I was recruited from the University of Wisconsin-Madison, where I was professor of Soil Science and Water Chemistry, to develop and administer the Center. I did this in partnership with an Advisory Board whose broad-ranging membership was mandated by the founding legislation. We developed strong programs in water quality, nitrogen and pesticide use, buffer zones, agro-forestry, alternate swine production systems, and animal nutrient management, and integrated these to include the economics and social issues of agriculture. All programs were based on sound science. It took several years to demonstrate how integrated multidisciplinary research programs could address sustainability in agriculture. Then as now, we emphasized that people, in particular those that manage the land, the farmers, must be integral to the solution to agriculture's problems. The Center was acclaimed locally, nationally and internationally for its programs and approaches.

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*Emeritus Professor, Iowa State University; past Director, Leopold Center for Sustainable Agriculture (1988-1999), past President, the Soil Science Society of America (1987-1988), and the American Society of Agronomy (1992-1993) and first Chair of the Board of the Certified Crop Advisors (1993-1995).

It was apparent early in my tenure at Iowa State that Mr. Dorr was a strong critic of the Leopold Center legislation and of sustainable agriculture. It is my belief that Mr. Dorr considered sustainable agriculture to be a step backward from modern agriculture technologies and that he viewed the concerns that row crop farming was damaging the environment as misguided. People who knew Mr. Dorr well worked with us to find common ground. I received good guidance from Stanley Johnson (then Director of CARD at ISU) and Keith Heffernan (an aide in the office of Iowa's then-Governor Terry Branstad). But we were never able to reach a meeting of the minds or conduct any meaningful discussions. This did not particularly disturb me. Mr. Dorr was not the only detractor of the Leopold Center in Iowa and, in fact, I found his views to be good to use as a measure of our programs. Were there ways we could address the interests of those in Iowa who see agriculture more in terms of commodities and profits as opposed to communities and people? Mr. Door's sharpest criticisms dealt with the sociology agenda of the Center and the college of agriculture, particularly our use of surveys to find out what was going on in the Iowa countryside. Mr. Dorr also felt that sustainable agriculture meetings should be conducted in the hierarchical top-down approach typical of past Extension and retail input information meetings.

Mr. Dorr's generally critical but "hands off" attitude towards me and the Center changed about the time he became a member of the state of Iowa's Board of Regents which governs the state's universities
He made his complaints about Leopold Center programs clear in discussions with me, including at least one occasion when he came into my office uninvited in December, 1991 after an Extension Crop Protection Conference on the ISU campus and strongly objected to programs funded by the Center. These included research on nitrogen testing (done in cooperation with the National Soil Tilth Laboratory) and surveys being conducted by our social science/human systems team. In order to protect my colleagues, staff and myself from similar outbursts, I questioned the propriety of this kind of action by Mr. Dorr and was told that a member of the Board of Regents must have any meetings on campus approved in advance by the President's office.

At this same time I was president of the American Society of Agronomy. Among my activities as president was the development of the Certified Crop Advisor (CCA) program. This program, which many of us had worked on for several years, involved training and examinations to certify that public and private sector individuals (including employees of retail fertilizer dealers) would make ethically and scientifically sound nutrient and pesticide recommendations for crops. It was a national program with the American Society of Agronomy serving as the certifying body. I was involved in the initial design of the program and served as the first chair of the CCA Board. Mr. Dorr was critical of this program and was especially took issue with the fact that the Leopold Center was supporting certification and training of retail fertilizer personnel. I understood that he was concerned that if advisory people did not pass the certification tests, they would be at a disadvantage.

Mr. Dorr was specifically provided with advance agenda notices for all Leopold Center for Sustainable Agriculture Advisory Board meetings. He did not often attend or comment, but when he did he was usually polite while maintaining a critical and often outspoken stance.

In Summary

It is very hard for me to offer a definitive conclusion of how Mr. Dorr would conduct himself in the position of Undersecretary for Rural Development. However, if past performance is to be the judge, Mr. Dorr showed to me that he did not regard people, especially the smaller farmer, as an important part of the equation for rural development. Further, I think that Mr. Dorr strongly felt that government should not interfere in the course of modern agriculture beyond providing information from "science-based research." Perhaps these views have changed—but perhaps they have not.

NATIONAL FARM ACTION CAMPAIGN
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Testimony of George Naylor
before the
Senate Committee on Agriculture, Nutrition, and Forestry
Nomination Hearing of Thomas Dorr for Under Secretary of Rural Development for the United States Department of Agriculture (USDA)
Wednesday, March 6, 2002

I'd like to thank Senator Harkin, Senator Lugar, and the committee for inviting me to testify. My name is George Naylor. I farm with my wife and two sons near Churdan Iowa: Senator Harkin has been my representative for the entire 25 years that I have farmed, first in the House and now in the Senate, and I want to thank him for his representation. I appear here as a member of Iowa Citizens for Community Improvement and a steering committee member of the National Farm Action Campaign, the group that has spearheaded national opposition to Thomas Dorr's confirmation.

I appear today to ask you to reject the nomination of Thomas Dorr as Under Secretary for Rural Development of the USDA. We believe that public reports and transcripts of his statements indicate that he does not appreciate the value of family farms or rural communities. We fear that his policies may in fact accelerate their destruction. Widespread opposition to this nominee has grown as Americans became aware of Thomas Dorr's disastrous vision for the future of rural America and his reprehensible views equating economic success with lack of religious and ethnic diversity. 165 grassroots groups signed a letter to the Senate Agriculture Committee opposing Thomas Dorr's nomination and people from across the country have phoned, faxed, emailed and written to you and other Senators urging rejection of this nominee.

Our member organizations believe that the family farm is one of this nation's most precious institutions. The family farm is not merely a nostalgic artifact from the past, it is the foundation of a modern sustainable economy in the 21st century. For years the world has admired the productivity and social and civic contributions of family farmers in America. We have provided a safe and reliable food supply, while serving as the backbone for rural economic development. Family farmers represent personal initiative and personal responsibility, without the exploitation of hired labor. When family farmers do something right or wrong, you know who is responsible. Also, because family farmers want to pass their land on to the next generation, we have the irreplaceable incentive to serve as good stewards of land and water without the necessity of costly regulations or incentives.

It is important for this nation and our government officials to contrast this tried and true institution with the corporate industrialized model of agriculture that increasingly invades our neighborhoods. Absentee land ownership, contract farming, and polluting animal factories are rapidly bringing blight to our beloved landscape. Absentee investors take profits out of the community, while vulnerable immigrant labor languishes in poverty. Industrialized farming views the land as simply another input for this year's bottom line or a disposal area for millions of gallons of animal waste. Property values decline, family farmers leave the land, and small communities lose their schools, grocery stores, churches, and health care. It should be clear to all, especially the Under Secretary of Agriculture for Rural Development, that corporate industrialized agriculture is not compatible in any shape or form with healthy, vibrant rural communities.

However, Thomas Dorr's publicly touted vision of the future of American agriculture embraces corporate industrial agriculture: unimaginably huge, centrally controlled grain farms, water and air polluting huge hog factories and rural development overseen by someone who believes that ethnic and religious diversity impairs economic success.

A 1998 New York Times article highlights Dorr's dream farm, a "vision of a 225,000 acre operation made up of three "pods," each with its own manager." It continues, "Such an enterprise would be big enough to keep 100-unit trains running to far-away seaports, making the farm likely to receive volume railroad discounts. Such an agricultural factory could also negotiate bargain prices from suppliers and other concessions, like just-in-time delivery." Dr. Neil Harl, an Iowa State University economist, said that if all the farms in Iowa were this size, there would be less than 140 farms in the whole state! According to the Des Moines Register, Harl "described Dorr's philosophies as 'frightening'." This megafarm folly would clearly not buy inputs locally, resulting in the closure of businesses up and down Main Street.

If my farm were somehow to become part of this integrated mega farm, my freedom as an independent farmer would come to an end, being subject to decisions made by the three farm managers. If I were excluded, I could end up without a local market, possibly ending my chances to farm at all.

One of the strengths of American agriculture is diversity of techniques and supporting economic institutions, from banks, to suppliers, and repair shops. This diversity and the economic development associated with it would disappear. The growing conformity of production techniques would make our food system more brittle and subject to catastrophic mistakes that would really put the whammy on rural America and consumers' pocket books.

What kind of economic opportunity would exist for rural youth in such an environment? Does anyone really believe that huge centrally managed farms, where farmers become serfs on the land, fits the American dream?

At a conference at Iowa State University on December 11, 1999, Mr. Dorr joked that, because of these views, he is the "pariah of Marcus", his hometown. Well, it is obvious that those views would make him a pariah in rural communities all over America, too. Ironically, as Under Secretary, Mr. Dorr would oversee the office of Community Development. With Thomas Dorr as Rural Development chief, the hopes of many rural communities would blow away in the wind.

At the same conference, Dorr lamented that Iowa government did not facilitate the development of hog production North Carolina style. Iowa government did in fact remove barriers, including the passage of unconstitutional exemption from nuisance lawsuits. North Carolina has had to pass a moratorium on construction of new hog factories because of the environmental destruction. Social scientists have found that promises of economic development surrounding the operation of mega hog farms were clearly false. Now Iowa citizens, with the leadership of Iowa CCI, are forcing our government to remedy the pollution of air and water created by these irresponsible methods of hog production and disposal of waste. Very few Iowans appreciate Tom Dorr's judgement in this area. To add insult to injury, Dorr suggested that ISU and the state of Iowa facilitate the inevitable consolidation of grain farms, too—a la 225,000 acres?

Maximizing production and personal profits at any cost to the environment or rural communities seems to sum up Tom Dorr's philosophy. It was reported in the Des Moines Register that Dorr has a history of criticizing sustainable agriculture education by USDA Extension and programs at ISU's Leopold Center for Sustainable Agriculture. According to the Register article, then Center director Dr. Dennis Keeney "said Dorr, while serving on the Iowa Board of Regents, barged into the Leopold Center's campus offices and complained about sustainable agriculture programs." Dr. Keeney has told me this was report is true. Our organizations believe that research in this area is vital to protect the productivity of our soils and biodiversity of the countryside. It also promises a more rich economic and cultural life in rural America than the corporate industrial model mentioned before.

One of the things I find most objectionable to having Thomas Dorr as Under Secretary of Agriculture for Rural Development is his attitude about ethnic and religious diversity. I have a transcript of remarks made by Dorr at a conference at Iowa State University on December 11, 1999, in which he talks, about the three most economically successful counties in Iowa. I will now read his remarks directly from the transcript: "And you'll notice when you get to looking at them that they're not particularly diverse. At least not ethnically diverse. They're very diverse in their economic growth, but they're very focused, have been very non diverse in their ethnic background and their religious background and there's something there that has enabled them to succeed and to succeed very well."

The Bush administration has said that these remarks have been taken out of context. However, it is important to note that in the transcript, Dorr prefaces this statement by saying, "and I know that this is not the right environment to say this." I believe there is no right environment for bigoted statements. I believe it is very clear that Thomas Dorr cannot fairly represent the economic interests of a diverse range of rural residents in the U.S. when he has made a public statement like this.

Many members of our groups can testify to the long history of discrimination on the basis of race, color, or national origin by past USDA administrators. Eliminating such discrimination must be a high priority of the next Under Secretary of Agriculture for Rural Development. Especially in light of documented discrimination, Mr. Dorr's appointment in the year 2002 is unacceptable to 21st century citizens of our great country.

Integrity should be an absolute requirement for the chief administrator of a USDA agency. We have information from a high placed, reliable source in the Iowa state office of USDA's Farm Service Agency, that Tom Dorr knowingly received farm program payments for which he was not entitled, and when challenged on this behavior, remarked on a tape recording that it wasn't the government's business how he ran his farm. He was turned in to the state FSA office and subsequently had to return the money. If this is true, it is obvious that Thomas Dorr does not have the requisite moral character to serve in a responsible position in USDA.

Therefore, we immediately filed a Freedom of Information Act request with the Iowa FSA to obtain the records of Thomas Dorr's alleged payment scheme. After the Iowa FSA denied the request, we filed an appeal to the Washington office. After many months of waiting, the FSA has refused to release these documents, citing Dorr's right to privacy. They didn't say the documentation didn't exist, they just refused to deliver it.

If members of this Committee or anyone else wants to know the history of the farm payments that I have received and have been legally entitled to receive, they can obtain that information from the Environmental Working Group's website. I am just a private citizen, yet I don't have a problem with this information being available to the public as long as the standards of releasing the information are fairly applied. However, documentation of alleged improper payments to Thomas Dorr, who wants to serve as an officer in the same USDA are being withheld from the public and this committee. Until these allegations are resolved, no evaluation of the integrity of this candidate can be complete.

Last week Iowa CCI, on behalf of the National Farm Action Campaign, filed a lawsuit in US District Court to force the USDA to release the documents related to Dorr's alleged farm program payment scheme. The suit asks the court to order the immediate release of the documents. We felt we had to take this step because the American people have a right to know if their government officials -- elected or nominated -- have abused taxpayer-funded programs. We expect integrity and honesty in our officials and we fear that the

USDA has attempted to cover-up a violation of that trust.

In summation, we believe Thomas Dorr to be unfit to be Under Secretary of Agriculture for Rural Development because his statements show a misunderstanding of the importance of family farm agriculture to the fabric of rural America, a disregard for the environmental health of rural America, and a dangerous prejudice against ethnic and religious minorities that have and will make important contributions to the social and economic health of rural America. Because of the recorded attitudes of Thomas Dorr, we would view his confirmation as Under Secretary for Rural Development as an insult to rural Americans and to the egalitarian ideals for which the United States Department of Agriculture was established. We believe his alleged behavior of impropriety casts grave doubts on his integrity. Therefore, we respectfully ask that the Senate Agriculture Committee reject his appointment.

**The Federation of Southern Cooperatives/
Land Assistance Fund**

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**Testimony by Leon Crump of the
Federation of Southern Cooperatives/Land Assistance Fund
to the United States Senate Agriculture Committee
on the Nomination of Thomas Dorr
to serve as Undersecretary of Rural Development
March 6, 2002**

Since 1967 the Federation of Southern Cooperatives/Land Assistance Fund has served rural communities in the Southeast United States and helped to sustain and build these communities through community based economic development cooperatives.

Our mission is the following:
We strive toward the development of self-supporting communities with programs that increase income and enhance other opportunities; and we strive to assist in land retention and development, especially for African Americans, but essentially for all family farmers. We do this with an active and democratic involvement in poor areas across the South, through education and outreach strategies which support low-income people in molding their communities to become more humane and livable. We assist in the development of cooperatives and credit unions as a collective strategy to create economic self-sufficiency.

We work with rural African American families where they are...on the land...and we do this from our offices in Jackson, Mississippi; Epes, Alabama; Tuskegee, Alabama; Albany, Georgia; Atlanta, Georgia; and Quinby, South Carolina. The Federation is licensed to work in 16 southern states and also extends its work to these states through board members, and affiliation with other community based organizations and 1890 Land Grant colleges.

We have accomplished our mission among thousands of low-income families in over 100 of the most economically exploited and persistently rural poverty stricken communities in America. Our extended membership includes 10,000 Black farm families, who individually own small acreage, but collectively own over half a million acres of land and we work through 75 cooperatives of which 35 are agricultural cooperatives. We assist

marketing their crops. Our membership also includes thousands of small savers in 17 community development credit unions that have accumulated over $24 million in assets and made over $72 million in loans since their inception. In addition we have implemented a housing program that provides low-income residents to acquire safe affordable housing.

The importance of the USDA's Rural Development programs in our communities cannot be overestimated. At the Federation we have accessed Rural Development programs to sustain our communities in housing, cooperative development, business development, water quality and through the enterprise community program.

Over the years the Rural Development Housing program has been absolutely critical in making the difference in providing quality and improved housing for African American rural communities. For example, thanks to Rural Development, we have been able to assist approximately 350 low-income rural families obtain loans primarily for renovation and basic improvements of their homes. Through the housing program we have also been able to build 126 multi-family units for low-income communities in Alabama and are presently seeking to build multi-family units for low-income communities in the Mississippi Delta.

The Federation of Southern Cooperatives is the lead agency for the Greene-Sumter Enterprise Community which is a 10 year $2.9 million community grant to provide economic development in and around the Federation's Rural Training and Research Center in Epes, Alabama. Through the EC program we have been able to leverage $2 million dollars of federal and state assistance and helped create 320 new jobs and provide significant education and training service to approximately 1,000 people in Greene and Sumter counties. At the National Rural EZ/EC Conference in Maryland in May 2000, our EC project was nominated for the "Leveraging Award".

Some specific examples of the EC work and the difference it has made in some communities are as follows: a $60,000 matching grant was provided to the West Alabama Public Transportation for a van to provide transportation to jobs, health care facilities and other needs; $29,000 to Baileys Creation in York, Alabama for sewing machines and building repairs to employ 10-12 people; $80,000 to the City of York for roads, water and sewer connections for a strip mall off interstate 20 to employ 41 people.

Through the Rural Development Cooperative Grant we have been able to provide co-op training throughout our network. Under this grant, we have offered cooperative training to our 75 rural co-ops and a number of small business throughout the southeast. The training is provided primarily at our Rural Training and Research Center in Epes, Alabama. Through cooperatives, small farmers, for example, can pool their resources to better compete in the market place. Assistance in understanding how to develop and maintain cooperatives are provided in the training offered through this grant.

These training opportunities have been critical to our cooperative development work and have clearly made the difference to small farmers and rural communities with limited

resources. In our network, both the Federation of Southern Cooperatives and the Mississippi State Association of Cooperatives have been recipients of this important grant.

Through our Cooperative Business Development grant from Rural Development some of the following are examples of loan packaging technical assistance we have offered those in our network:

- a $2,800,000 loan for Mileston Cooperative in Mississippi to purchase a cooperative cotton gin and warehouse
- a $200,000 loan for Southern Alternatives, Inc., Pecan Growers Cooperatives in Georgia to assist in the building of the infrastructure of their pecan business
- $42,700 loan for Beat 4 Cooperative in Mississippi to help with their direct marketing and youth agriculture program
- a $635,000 loan for the Indian Spring Farmers Association in Mississippi to assist in the development of their state of the art packing and grading facility
- a $445,000 South Georgia Vegetable Producers and New Florida Farmers Cooperatives to solidify their direct marketing efforts in their region.
- a $500,000 loan for Saltwell Community/Infrastructure/Water Emergency Grant in Alabama to help this community to alter their poor water quality

The above are just some examples of the essential programs being offered under USDA's Rural Development Agency and the difference it has made in the Black community in the rural south. We are very concerned that these successful initiatives will be jeopardized by the appointment of Thomas Dorr to serve as Undersecretary of Rural Development. This huge agency has enormous responsibilities for setting the tone for development in rural America. Whoever serves as head of this agency must understand the needs of rural America, its unique diversity in terms of minorities, religion and cultures and that the strength of rural communities demands locally controlled, self-help diverse entities that develop, and foster wealth and sustainability.

Thomas Dorr is not qualified to serve as the head of this important agency. He has stated that North Carolina, with its huge factory farms, should be the model for development. He supports, then, corporate controlled and highly concentrated agriculture rather the family farms which have been the backbone of American development and food safety. He is noted for saying that communities are economically stronger if they are not diverse in terms of race, religion and culture. His understanding, then, and appreciation of the needs of low-income and diverse communities across rural America are highly questionable and of concern to family farmers and minority communities everywhere.

We urge the Senate not to confirm Thomas Dorr. The work of Rural Development is far too important to communities across rural America to have as its head someone without an appreciation for the needs of our diverse population and for small family farmers and small land and business owners generally. In fact, there will be those who will, at this testimony, refer at length to the devastating impact of rural communities because of the increasing concentration of agriculture. It is well known that the best stewards of the land are small family farmers - they have a vested interest in their major resources- land and

water systems. Small farm families live on their land.... they are witness to the daily necessities of production agriculture and they will protect their land and water resources as they have always done in the long term.

As most Black farmers are small family farmers the impact of forcing more of them off the land because of more factory farm agriculture, the more disruption and destabilization of our urban areas. Where else can small Black farmers who are forced off their land go but to the urban areas where their valuable skills as farmers cannot be utilized. The best investment that can be made by our country for our economy and food safety is to assist in the development of and sustainability of Black and minority family farmers and, in fact, all family farmers.

Further, often, because of racism and discrimination to small business' in the banking world, opportunities for minority communities are not available regarding obtaining loans from commercial lending institutions or technical assistance to access business opportunities. The Rural Development Agency has often made the difference for these minority communities.

We must continue with these important programs and continue to build sustainability in our diverse rural communities. Dorr is clearly not the person who can lead the agency in this direction. His corporate controlled mentality is not what we need. If he's appointed then all the decisions of rural communities and development will probably be made similar to the devastating corporate decisions from the likes of Enron without any input from family farmers who understand the needs of rural areas.

Our rural development needs and food safety are far too important and too vulnerable to be handed over to irresponsible short-term corporate greed.

Statement

Of

Ronald N. Langston

National Director

Minority Business Development Agency

U.S. Department of Commerce
Washington, D.C.

Given on behalf
Of
Thomas C. Dorr

Designated Nominee for Under Secretary of Agriculture

For Rural Development

To the
U.S. Senate Committee on
Agriculture, Nutrition, and Forestry

March 6, 2002
Washington, D.C.

PREPARED STATEMENT OF

RONALD N. LANGSTON

NATIONAL DIRECOTR
MINORITY BUSINSS DEVELOPMENT AGENCY

Before the U.S. Senate Agriculture Committee
On behalf of

Tom Dorr, Nominee
Under Secretary for Rural Development
U.S. Department of Agriculture

Mr. Chairman, Senator Lugar, and Members of the Committee:

I greatly appreciate the opportunity to appear before this distinguished committee in support of the nominee for Under Secretary for Rural Development, Tom Dorr of Iowa. My appearance is not a coincidence. I asked for this opportunity and privilege to support a fellow Iowan. I believe Tom Dorr will follow in the rich legacy of other Iowans who have served this nation, and in particular, those who have been leaders in U.S. and global agriculture.

Tom Dorr and I have much in common. We both have roots in northwest Iowa. We have lived among the diversity of the Iowa plains. A diversity that includes the Dutch, Germans, Irish, Native Iowa Tribes, Latinos and yes, a vibrant Iowa Afro-American community.

Mr. Chairman, I dare say that I am one of the few individuals present today who is African American, and has actually lived in northwest Iowa. I have benefited from the Iowa education system and the warmth and openness of the Iowa's rich prairie culture. Iowa has been good to me and to my family.

I served in the Legislative Service Bureau of the Iowa general Assembly; I worked as Legislative Assistant in the U.S. Senate for Senator Roger Jepsen. I am the former chair of the Iowa Commission on the Status of African Americans, and served as a State Transportation Commissioner. Early in my career, I was active with the Iowa-Nebraska NAACP and the local Des Moines branch of the NAACP. I am a member of the African Methodist Episcopal (AME) Church, and active in Omega Psi Phi Fraternity, Inc. I am a contributing author to the recently published book, "Outside In: A History of African Americans in Iowa".

I am honored today to serve the President of the United States as the National Director for the Minority Business Development Agency (MBDA), within the Department of Commerce.

I have noted the above for the *Record.* I want to clearly convey to this Committee and this body, that if I believed for a second that Tom Dorr was a racist or of a mind and behavior that was contrary to social, economic and political upward mobility of people of color and especially African-Americans, I would not be here today speaking on behalf of his appointment.

The fact is… I need Tom Dorr. I need him to help me address issues of underdevelopment in rural America, especially in the Deep South. I need a relationship with the Under Secretary for Rural Development to strategically collaborate with the Minority Business Development Agency in the Black Delta Region of the U.S. The MBDA is transforming itself from an administratively focused agency to an entrepreneurial organization. We believe in entrepreneurship and an entrepreneurial economy.

There is much we can do together to bring technology, e-Commerce and infrastructure to America's rural communities. I am very excited about the Department of Agriculture and the Department of Commerce working together to provide value–added opportunities for the national minority business enterprise community. I look forward to reaching out to Historical Black Colleges and Universities (HBCU's) in partnership with Tom Dorr and the team at the Agriculture Department.

Mr. Chairman, for the reasons noted above, I ask you and this Committee to support the nominee, Mr. Dorr. Thank you.

Statement of Nancy Hier
Of Marcus, Iowa
Given on behalf of Thomas C. Dorr
Designated Nominee for Under Secretary of Agriculture
For Rural Development
To the
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Senator Harkin, Senator Lugar, and Members of the Committee

I, Nancy Hier, live in Tom's home community. I've known Tom as a student, business man, and farmer. But of more importance in my being able to attest to the true character of Tom, is the fact that there has been a long standing respect and friendship between my family and the Dorr family. Three generations ago they were immigrants who plowed virgin sod and helped develop a community.

My father became involved in a number of farm organizations that affected farm policy locally and nationally. At the height of the depression, Henry Wallace called several to Washington to write the first USDA farm program. My father, Oscar Heline, was one of that group of twenty five farmers. Here is a citation commemorating the 35th anniversary of the original Agricultural Adjustment Act of 1933, signed by Lyndon Johnson.

Thereafter, I remember discussions between Tom's father and mine at the kitchen table at our farm. There was mutual respect for the vision, the hard work, and the capacity to bring ideas to fruition. The 4th generation is now finding time to exchange ideas and challenge their thinking.

All this is to say that I know Tom. Yes, there are rough edges, but I know from where he comes. His judgment is based on sound moral principles. His Christian ethic overrides every consideration. He has recently devoted considerable leadership and time to our local church. After he moved to Washington, he said that he missed his church family more than any other group.

Family is foremost in Tom's perspective of a stable community. His concern is exemplified by not only the unity and success within his own home, but in the character of his children who are reaching out to serve others. When he accepted his proposed appointment to Washington, it was necessary to change his farm operation. As he made preparations for these changes, the welfare of his employees was dominant. All effort was made to accommodate their needs. As undersecretary, he will strive to protect not only the business aspect of the smaller farm, but also the coveted lifestyle.

Tom is a man who possesses great energy of purpose. He will strive to formulate innovative solutions to the problems facing the small as well as the large operator. His work ethic will be directed toward serving the cause of agriculture, not toward enhancing his political career. He will

commit to extensive homework, then defend his stance. But he will concede his opinion if shown he is in error.

Not all citizens of a small community understand or appreciate the time it takes to gain acumen in a given field. Travel necessitates delegation of responsibility. From experience, I know that does not always go smoothly, and the community can be critical as well as unable to see the accomplishments that lie beyond local endeavors. He might not be a good ol' boy to some at the elevator. But he is patient to give time to associates who are interested in his activities.

I suggest that the initial newspaper article that got so many misleading ideas into the public mindset wasn't due to a desire to derail Tom's nomination. Those of us who know Tom, didn't recognize him from that article. To suggest that he is a racist is to deny his philosophy of life. He has been wrongly accused of intolerance because his comments concerning diversity were taken out of context. He applied statistical facts of hitherto unused criteria to measure economic success. To his credit, Tom applied innovative ideas in making his assessment. Besides, just last Christmas, I was part of a discussion that was held some distance from Marcus. Participants reported Tom's suggestion that a nearby county bring ethnic diversity to their labor force in order to enhance their economy. You see, many understand he has no racial prejudice.

Spring is coming and he will very well remember the feel of the soil underfoot, and aroma, the eye on the weather, the hope, the spring rush. But with resolve, he will work hard to sustain and enhance rural development.

Testimony of Varel G. Bailey
In Support of
Thomas Dorr as USDA Under Secretary for Rural Development
Before the
U.S. Senate Committee on Agriculture, Nutrition, and Forestry
March 6, 2002

Mr. Chairman, members of the committee and ladies and gentlemen. Thank you for this opportunity. I appear today in support of the nomination of Thomas Dorr as USDA undersecretary for rural development.

I am Varel Bailey, a farmer from Anita, Iowa. My son, Scot, and I operate a corn, soybean, grass, cattle, hog and sheep operation. I appear today as a rural resident and do not represent any organization that I may be associated.

I have known Tom Dorr since the late '70s. We were part of a group of farmers that worked to make the National Corn Growers Association a federation of state associations. The group of farmers went on to lobby for checkoff legislation and pass the referendum in Iowa. This effort created the first major push on Gasohol that resulted in the alcohol fuels industry that we have today. Tom's skills really came to the front during the 1980 grain embargo as the Corn Grower Association struggled to find policy solutions for the market chaos the embargo created. This was followed by policy development work and lobbying for the 1985 farm legislation and the '80s farm financial crisis. Work on the corn gluten feed export disputes with the European Community, Spain and Portugal entrance into the EC and preparations for the Uruguay round of the GATT negotiations followed. Tom went on to serve Iowa on the Board of Regents, providing oversight for the State supported universities. He served the mid-west on the Board of Directors of the Chicago Federal Reserve Bank. In 1990, just three months after the fall of the Iron Curtain, Tom participated in a delegation to Hungary, Czechoslovakia, Poland and East Germany. The delegation worked on agriculture, education and humanitarian issues and resulted in the formation of the Iowa International Development Foundation.

Working with Tom over these years and on many projects, I have found he has many attributes that suit him for the undersecretary of rural development position.

He is very smart. He is intellectually smart and he is street smart. After a conversation with him it is obvious he is a voracious reader and stays at the cutting edge of technology and of human thought.

He is visionary. His ability to conceptualize accumulated nuances into expected trends and goals is uncanny. Tom was one of the first to identify the forces that are causing the crumbling of the agricultural infrastructure today. (Evidence of this is the two Farmers' Coops that have gone bankrupt in my locality.) Tom couples this with modern technology's enabling a quantum increase in the span of management. The result is a potential concept for a new food and fiber supply chain. Some perceive this as advocacy for huge corporate farms to the detriment of family farms. To the contrary, I value Tom's articulation of these concepts because it gives my family farm time to reorganize as these new supply chains form. My farm can grow vertically and capture value in these new supply chains instead of continuously competing with my neighbors for more land. The ever increasing overhead costs of business require that my farm lower costs, increase the margin per unit of production or increase in size to spread

those costs in order to survive. Those increasing costs are not likely to abate. Early participation in forming supply chains is very important to my farm.

He is energetic. Faced with a challenge, his enthusiasm is contagious. During the 1980 grain embargo debate the spectrum of emotion within the group ranged from utter despair to visceral anger. It was Tom who helped rally the troops and show that only three things are needed to change the course of human events. You need a crisis, access to the people who must solve the crisis and a plan of action to help the situation. The Corn Growers developed a fourteen-point plan, carried it to Washington and by lobbying, achieved adoption of twelve of the points.

He is analytical. His knack for figuring out the drivers of change and sorting out the optimal alternative solution is appreciated by all that work with him. Whether the policy debate was on the Payment-In-Kind, Export Enhancement, Spain and Portugal entrance in to the EC or the Marketing Loan programs, Tom's analyses were important for refinements to make them work.

He is articulate. His oratory during policy development debates that makes the point, lists the reasons and negates the alternative is legendary to us who know him.

He has financial prowess. Watching him look at a business plan, rough out a rate of return and estimate the various leverages is a skill not held by many people. His ability to ferret out inbred boards of director, incompetent management and unwise relationships that leave all the profits "on the table" have helped many startup businesses in his area. He understands the "land, labor, capital" relationships. He knows just having financial capital will not make a project succeed. A combination of money, technology, human capital and social capital must come together in the right combination to make rural development work. He understands the easiest way to kill social capital is to make a Federal grant.

He has the skill sets of a Chief Executive Officer. Most farmers have the management skill level of a plant manager. Tom definitely has executive level administrative skills.

He is sensitive. He is aware of the feelings of the people around him and goes the extra steps to be inclusive. If he seems abrasive, it is calculated to cause a person or group to rethink their position. He is very aware of the plight of rural America. He has lived and farmed through the economic, social and political decline. The difference between Tom and most other people is that he steps up and tries to help. If a small town needs a nursing home, he helps rally the people to make it happen. If technology is not getting out of university laboratories for businesses to use, he serves on the Board of Regents and the Wallace Technology Transfer Foundation. If rural banks are abandoning their customers, he serves on the Federal Reserve Board. If he finds a farmer in post-communist Poland that needs sweet corn processing equipment and communications capability, he finds used equipment and helps start a new industry in Poland. If he finds a community in East Germany that has no medical service, he helps get medicine to these people. If he sees an opportunity to enhance the way USDA rural development programs stimulate new social and economic opportunities, he steps up and offers his service as the undersecretary for rural development.

Mr. Chairman, members of the committee, ladies and gentlemen, I can think of no one better qualified than Thomas Dorr to be USDA undersecretary of rural development. I urge your endorsement of his nomination.

Testimony of Dr. Thomas A. Fretz

Dean and Director
College of Agriculture and Natural Resources
University of Maryland

Before the

Senate Committee on Agriculture, Nutrition & Forestry

On behalf of Thomas C. Dorr
Designated Nominee for
Under Secretary of Agriculture for Rural Development
United States Department of Agriculture

March 6, 2002

Statement of Dr. Thomas A. Fretz

Given on behalf of Thomas C. Dorr
Designated Nominee
For
Under Secretary of Agriculture for Rural Development
United States Department of Agriculture

Chairman Harkin, Senator Lugar and Members of the Committee, my name is Thomas A. Fretz, Dean of the College of Agriculture and Natural Resources at the University of Maryland. Additionally, I serve as the Director of the Maryland Agricultural Experiment Station and Maryland Cooperative Extension.

I am pleased to appear before you today in support of the nomination of Mr. Thomas C. Dorr as Under Secretary for Rural Development at the U.S. Department of Agriculture. I was asked to appear before you today when it was learned that there was some opposition to Mr. Dorr's appointment based on comments that he made at a "Visionaries" Conference at Iowa State University in November 1999. I participated in the Visionaries Conference and chaired the panel that met in Ames to offer the College of Agriculture and Department of Agronomy some guidance for planning for the future. You should know that by way of background, and perhaps the reason that I was asked to chair the panel, was that I had previously served as the Associate Dean of the College of Agriculture and Associate Director of the Iowa Agriculture and Home Economics Experiment Station (1989-1994), before returning to the University of Maryland.

The issue as I see it, is about our President's prerogative to bring to Federal Service those citizens wishing to serve his administration. More to the point, the allegations that Mr. Tom Dorr made comments that were racist are unfounded. I observed nothing in Mr. Dorr's comments during the November 1999 Visionaries Conference, nor subsequently in reviewing the tape of the conference, that would lead me to believe that he has any racist thoughts. Mr. Dorr simply stated in response to a comment from one of the participants that some Iowa rural communities and counties were economically viable and vibrant, yet were anything but diverse, implying that diversity in or of itself would not create greater economic wealth or stability to rural communities.

I believe we all favor a diverse, multicultural society. I am confident that Mr. Dorr believes likewise. To infer that he was making racist comments is absurd. He simply stated the reality that many rural communities lack diversity, yet remain economically viable. To make or construe anything else from his comments is to take them out of context and is a misrepresentation of the events and facts of November 1999.

This concludes my testimony. I appreciate the opportunity to appear before you today.

American Association of State Colleges and Universities
1307 New York Avenue, NW • Fifth Floor • Washington, DC 20005-4701
Phone 202.293.7070 • Fax 202.296.5819 • www.aascu.org

Statement of Dr. Constantine Curris
Of Chevy Chase, Maryland
Given on behalf of Thomas C. Dorr
Designated Nominee for Under Secretary of Agriculture
For Rural Development
To the
U.S. Senate Committee on
Agriculture, Nutrition, and Forestry
March 6, 2002

I urge the Senate Committee on Agriculture, Nutrition and Forestry to recommend the confirmation of Thomas Dorr as Under Secretary of Rural Development for the Department of Agriculture.

I met Tom Dorr in 1991 when I served as President of the University of Northern Iowa and Mr. Dorr served as a member of the State Board of Regents, the governing board for Iowa's three public universities. It should be noted that Tom Dorr was appointed by Governor Terry Branstad, a Republican, and confirmed by the Iowa Senate, a majority of who were Democrats.

During the four years of our overlapping tenure, I came to know Tom Dorr through the monthly meetings of the Board, numerous committee meetings, and personal discussions. I found him to be a man of integrity and commitment. He was and remains a bright, thoughtful, well-read and Public policy engaged citizen. While we do not share similar political philosophies, I respect him as a creative thinker, a caring citizen, and a genuinely good person.....qualities that transcend politics.

Much has been written about Tom Dorr's remarks at a 1999 Iowa State forum. I was not present at that forum -- indeed, I no longer resided in Iowa. While it would be inappropriate to comment on that with which I am not familiar, I am comfortable in addressing the extrapolations which some have drawn from that forum. Let me state clearly that in the four years I worked with Mr. Dorr, there was never an instance which raised any concerns about racist attitudes or inappropriate values. In all my dealings with Tom Dorr I found him to be an individual committed to equal opportunity and civil rights for all citizens.

I would like to share a personal instance that illustrates my point. The University of Northern Iowa had earlier initiated and funded a collaborative program with the Davenport, Iowa School District, three hours distant, to mentor middle and high school African-American students, and to cultivate their interest in teaching careers. Because of state revenue shortfalls, and the higher costs of this program, the University received criticism for continuing its funding. Tom Dorr was a stalwart supporter of the University's continued sponsorship. He expressed his belief that our efforts to raise the educational aspirations for these youngsters was exactly what we should be doing, and that Iowa very much needed such an initiative to staunch the declining numbers of teachers of color in its classrooms. His support was very important to the University and the students we served.

Early in 1995 I accepted an appointment as President of Clemson, the land-grant university of South Carolina. Although most of my life had been spent in small towns and rural areas, and recognizing that the University of Northern Iowa was actively engaged in working with civic and economic leaders in small towns throughout the state, it was during my nearly five years at Clemson that I came to understand fully the challenges of revitalizing rural America.

The responsibilities of the Undersecretary for Rural Development are significant and, in many ways daunting. What I learned from my experiences both in Iowa and South Carolina is that there are no simple or easy solutions, no tried and true formulas for success. We fool ourselves if we believe there is an orthodoxy of beliefs, which if applied, will reverse declining fortunes in rural America. I do not think that any one person has the answers, but I do believe if we bring to government bright, creative and thoughtful folks, and if we are open to new ideas and approaches, we will make progress in finding policies and programs that will work in rural America.

I believe Tom Dorr has the qualities needed to provide leadership in the department. . I am pleased to have this opportunity to appear before the Committee, and I am pleased to recommend Tom Dorr to you and for confirmation.

Dr. Constantine Curris
President,
American Association of State Colleges and Universities
1307 New York Avenue
Fifth Floor
Washington, D.C. 20005-4701

Testimony
of
Neil E. Harl[1]

United States Senate Committee on Agriculture, Nutrition and Forestry
March 6, 2002

Mr. Chairman, members of the committee, I regret that a prior commitment precludes my giving this testimony in person. On numerous occasions, I have testified before this and other committees of the United States Senate and United States House of Representatives on various technical issues. However, this is the first time to testify or provide testimony on a pending nomination. I approach the task humbly and with some concern but it is my firm belief that government works best when ordinary citizens are willing to share relevant observations with the committee about candidates for confirmation.

My comments on the record of Mr. Dorr are grouped under three major headings with conclusory comments at the end of my testimony.

I. Statements Made to Undermine Extension

In 1987, I was appointed to a Long-Range Strategic Planning Committee at Iowa State University by newly-appointed President Gordon Eaton. It soon became apparent that President Eaton had been treated to a steady diet of commentary highly critical of Extension at Iowa State University, commencing even before Eaton arrived on the Iowa State University Campus in Ames.

Within several weeks of the creation of the committee, President Eaton invited the entire committee to a session in his formal conference room to hear three individuals talk about Iowa State University Extension. One of the three was Mr. Dorr. The Long-Range Strategic Planning Committee members were instructed to listen but not to engage in discussion or debate with the three.

Among several blatantly untrue statements, Mr. Dorr made the statement (and followed it with extended commentary) that Extension at Iowa State University had never provided assistance to him or his family during all of the years the Dorr farming operation had been functioning (which had been several decades at that time). I knew instantly that the statement was absolutely untrue. In the late 1960s and early 1970s, Mr. Dorr's father and uncle had attended several of my estate and business planning seminars in Northwest Iowa and had engaged me in extended discussion at lunch, during the morning and afternoon breaks and after the seminars ended about how they could best turn their sizeable farming operation over to "young Tom." Moreover, I met with the elder Dorrs, at their request, several times in Ames to

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[1] Charles F. Curtiss Distinguished Professor in Agriculture and Professor of Economics, Iowa State University, Ames, Iowa; Member of the Iowa Bar.

help them hammer out the details for a succession plan. I know that my involvement in the process had become a discussion topic in the Dorr family.

II. Statements About Size of Farming Operations

Much has been reported about Mr. Dorr's statements, some appearing in the *New York Times*, that farming operations should ideally be about 225,000 acres in size. In addition to what is of record on the issue, I was called by several of Dorr's disciples in the mid to late 1990s asking for help in developing a strategy for putting together the financing for such a dramatic transformation of agriculture.

To place the proposal in perspective, if farms averaged 225,000 acres in size, there would be fewer than 1.6 farms in a standard county of 16 townships and roughly 140 farms in the entire State of Iowa. Moreover, such farms would be approximately nine times larger than the largest farm in Iowa (which was communally-owned until 1932 and has not done spectacularly well since becoming a corporation in 1932).

At a time when landownership has reached unprecedented levels in terms of concentration in older hands (more than half of the farmland in Iowa is held by those over age 61), with an unusually large amount of farmland likely to change hands over the next 15 to 20 years, it would be bizarre policy to encourage an increase in the average size of farm if there is concern about rural development. It is widely conceded that the economic deterioration of rural America is related to the structural transformation that occurred over much of the 20th Century. Farms of 225,000 acres could only exacerbate that condition. That would mean farms more than 600 times the average size now existing in Iowa.

III. Role In the Sale of WOI-TV

Some of my comments on the third issue are drawn from my recently-published book, *Arrogance and Power: The Saga of WOI-TV*. The book was published in November of 2001. The volume chronicles the forced sale of Iowa State University-owned television station, WOI-TV, by the State Board of Regents in Iowa which governs the state institutions of higher education in the state. The sale was carried out over the strong objections of faculty, staff, students, alums and thousands of Iowans. Mr. Dorr was a member of the governing board during the time when the sale of the station was consummated. I was president of the organization that resisted the sale in both state and federal courts, the Iowa legislature (on three occasions) and the FCC. As is widely known now, and was then to those who were familiar with the integral role played by the station in several educational programs of Iowa State University, it was a profoundly unwise move economically, an unwarranted gutting of several educational program areas pedagogically and a most unpopular move politically. It cost the president of the governing board reappointment to a second six-year term on the board. The move was driven by inter-institutional jealousy. The action occurred after the terms of all members of the board with degrees from Iowa State University had expired and at a time when five of the nine members held degrees from the University of Iowa.

As noted in *Arrogance and Power: The Saga of WOI-TV*:

"With that discovery [that no regent had ties to Iowa State University], I had two thoughts—(1) Iowa State University alumni will not take that news at all well; (2) the stalking of WOI-TV by Marvin Pomerantz had been planned and executed far more carefully and with more forethought than I had realized; and (3) it would certainly complicate the task of reaching members of the Board of Regents.

"A reexamination of the list of board members produced two possible contacts—John Fitzgibbon and Tom Dorr.

"Actually, I didn't know Dorr at all well but I had become very well acquainted with Dorr's father and uncle in the late 1960s as they struggled to construct a business plan for their sizable farm operation in Cherokee County and as they put together estate plans. The elder Dorrs were friendly, bright, likable people so I thought the younger Dorr should have inherited a modicum of those qualities. The first contact was indirect. I called Russell Bryant, a fellow student at Iowa State College in the early 1950s who farms in the same community as the Dorrs and asked Russ to visit with his neighbor about the WOI-TV sale. That contact was initiated on the morning of March 16. About mid-afternoon on March 17, I received a telephone call from Dorr. He said he was calling on his cellular telephone and was on his way to Council Bluffs for the Board of Regents' meeting scheduled for the 18th. He wanted to know why I was opposed to the sale. I responded with a summary of the article that had run on February 28—it was a risky deal, a bad deal financially and disaster educationally for Iowans. Dorr responded with the surprising statement that he hadn't been aware of those arguments. 'Put together a short piece—not more than two pages—along the lines of what you've just said and fax it to me at my Council Blufs motel,' he concluded, and gave me the name of the motel. Quickly, I drafted a brief summary of the main arguments why the sale would be a monumental mistake and it was off to Council Bluffs by facsimile message.

"The next morning, just before 7:45 a.m., Dorr called. 'We talked about WOI-TV last night. It looks like the vote will come in April. But that meeting is in Ames and your people know how to turn out a crowd. It will be a tough fight but I think it's possible. I'll support you.'

"The key vote actually came at the May meeting, ... Where was Dorr? On the other side."

IV. Conclusions

My reluctant conclusion is that Mr. Dorr, in various utterances, public statements and published remarks, has demonstrated beyond a doubt an unacceptable level of hostility to the programs of the agency he has been nominated to lead.

More fundamentally, Mr. Dorr's utterances, public statements and published remarks have raised serious doubts about his honesty and integrity in public life.

As for Mr. Dorr's remarks made on videotape that could be construed as racist, others are in a better position to testify as to the possible interpretations than I. My remarks here are based on matters which I personally perceived.

Of my short list who would be able to fill the position with distinction, Mr. Dorr would be notably absent.

I would urge a vote against confirmation.

DOCUMENTS SUBMITTED FOR THE RECORD

MARCH 6, 2002

Statement of Senator Thad Cochran

Mr. Chairman, I join you in welcoming the U.S. Department of Agriculture nominees to the Committee today.

This Administration has taken charge during a difficult period in production agriculture. While some sectors of the economy have prospered, farmers are receiving less for their crops and paying more for production costs. It is my hope that each of you will be confirmed and will join the Department of Agriculture team.

I am especially pleased to see Mr. Tom Dorr as one of the nominees to appear before the Committee today. Mr. Dorr is a proven leader in his home state of Iowa, and I know his expertise will be very valuable to the Department of Agriculture.

The current Farm bill, the Federal Agriculture Improvement and Reform Act of 1996 will expire during this session of Congress. The reauthorization of the current farm law has reached the conference stage between the Senate and the House of Representatives. It is very important that the Department of Agriculture continue to be involved in the effort to produce a good farm bill. America's farmers deserve legislation that will allow them to continue to produce a safe and abundant food supply.

Mr. Chairman, I thank you for holding this improtant hearing. I look forward to working closely with each of the nominees.

BIOGRAPHICAL INFORMATION (PUBLIC)

1. **Full name (include any former names used).**

   Frederick (Fred) Lee Dailey

2. **Date and place of birth.**

   August 9, 1945 - Mount Vernon, Ohio

3. **<u>Marital Status</u> (include maiden name of wife or husband's name). List spouse's occupation, employer's name and business address(es).**

   Married
   Rita Carol Dailey (Milliken)
   Chairperson of English Department
   Mount Vernon High School
   Mount Vernon, Ohio 43050

4. **<u>Education</u>: List each college and graduate or professional school you have attended, including dates of attendance, degrees received, and dates degrees were granted.**

   Graduate:

1958-63	Mount Vernon High School Major Emphasis: Vocational Agriculture
1963-64 1967-70	Anderson University Anderson, Indiana BA, Political Science and History
1973-74	Ball State University Muncie, Indiana MPA in Public Administration

5. **<u>Employment Record</u>: List (by year) all business or professional corporations, companies, firms, or other enterprises, partnerships, institutions and organizations, nonprofit or otherwise, including farms, with which you were connected as an officer, director, partner, proprietor, or employee since graduation from college; include a title and brief job description. Are you now or have you ever been an officer or director of any financial institution or entity?**

1991-present	Director, Ohio Department of Agriculture
1982-91	Executive Director, Ohio Beef Council and (1983) Executive Secretary, Ohio Cattlemen's Association
1973-81	Director, Division of Agriculture, Indiana Department of Commerce

1971-72	Sky Marshal, Office of Investigations, Division of Air Security, U.S. Treasury
1970-71	Correctional Counselor, Indiana Reformatory
1965-67	Paratrooper, U.S. Army, Radio Operator, Secret Security Clearance, served in 101st Airborne Division in Viet Nam and 82nd Airborne Division in U.S.
1964-65	Laborer - Ohio, Florida and Alaska

I have raised Angus cattle since 1980 on my own farm. I have never been an officer or director of any financial institution or entity, however, I do administer a state established "Family Farm Loan Program."

6. **Military Service: Have you had any military service? If so, give particulars, including the dates, branch of service, rank or rate, serial number and type of discharge received.**

1965-67 U.S. Army
Specialist 4
U.S. 52637045
Honorable Discharge

7. **Government Service: State (chronologically) your government service or public offices you have held, including the terms of service grade levels and whether such positions were elected or appointed.**

1970	Prison Guard
1970-71	Correctional Counselor
1972-73	Sky Marshal GS-9
1973-81	Director, Indiana Division of Agriculture (appointed)
1991-present	Director, Ohio Dept. of Agriculture (appointed)

8. **Honors and Awards: List any scholarships, fellowships, honorary degrees, and honorary society memberships that you received and believe would be of interest to the Committee.**

Honorary State Farmer Degree (Indiana, 1978; Ohio, 1992)

9. **Political Affiliation: The statute creating the Federal Agricultural Mortgage Corporation requires that no more than three public members of the Board be from the same political party. List your current political party registration or affiliation.**

I am a registered Republican.

10. **Other Memberships: List all organizations to which you belong, excluding religious organizations.**

National Association of State Departments of Agriculture
Ohio Cattlemen's Association
Knox County Cattlemen's Association
Ohio Farm Bureau
Aircraft Owners & Pilot's Organization

11. **Published Writings: List the titles, publishers, and dates of books, articles, reports, or other published materials (including published speeches) you have written. Please include on this list published materials on which you are listed as the principal editor. It would be helpful to the Committee if you could provide one copy of all published material that may not be readily available. Also, to the maximum extent practicable, please supply a copy of all unpublished speeches you made during the past five years on issues involving agriculture, nutrition, forestry or commodity futures policy or related matters.**

I was the Editor of the Ohio Cattleman Magazine from 1983-1991 and I wrote a column entitled: "Ridin' the Eastern Range." I have made numerous speeches on agricultural policy issues but I do not have written copies of these speeches.

12. **Health: What is the present state of your health?**

Excellent

FINANCIAL DATA AND CONFLICT OF INTEREST (PUBLIC)

1. **Have you severed all connections with your immediate past private sector employers, business firms, associations, and/or organizations?**

   I do not have private sector connections that would be a conflict of interest if I am confirmed in this position. If so, I would sever those relationships.

2. **List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, incompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients, or customers.**

   I participate in the State of Ohio deferred compensation program and would expect to receive deferred compensation payments at the age of 65. I have approximately $120,000 in this program. I will also be eligible for partial retirement payments from the Ohio Public Employees Retirement Fund in four more years.

3. **Do you, or does any partnership or closely held corporation in which you have an interest, own or operate a farm or ranch? (If yes, please give a brief description including location, size and type of operation.)**

   I own an 80-acre cattle farm located at 13126 Miller Road, Mount Vernon, Ohio. I reside on the farm and currently have 57 head of cattle. I am in the process of purchasing another 190 acres adjacent to my farm.

4. **Have you, or any partnership or closely held corporation in which you have an interest, ever participated in Federal commodity price support programs? (If yes, provide all details including amounts of direct government payments and loans received or forfeited by crop and farm, etc. during the past five years.)**

   I have not received loan deficiency payments or support payments but I have received AMTA payments of approximately $2,000 per year (average).

5. **Have you, or any partnership or closely held corporation in which you have an interest, ever received a direct or guaranteed loan from or cosigned a note to the Rural Business-Cooperative Service, Rural Housing Service, the Rural Utilities Service or their predecessor agencies, the Farmers Home Administration, the rural Development Administration, the Rural Housing and Cooperative Development Service or the Rural Electrification Administration? (If yes, give details of any such loan activity during the past 5 years.)**

   I received a FmHA rural housing loan in 1973 (Lapel, Indiana).

6. **Have you, or any partnership or closely held corporation in which you have an interest, ever received payments for crop losses from the Federal Crop Insurance program? (If yes, give details.)**

   No

7. **If confirmed, do you have any plans, commitments, or agreements to pursue outside employment or engage in any business or vocation, with or without compensation, during your service with the government? (If so, explain.)**

   I plan to continue to serve as Director of the Ohio Department of Agriculture.

8. **Do you have any plans to resume employment, affiliation, or practice with your previous employers, business firms, associations, or organizations after completing government service? (if yes, give details.)**

   I have no such plans at this time.

9. **Has anyone made a commitment to employ you or retain your services in any capacity after you leave government service? (if yes, please specify.)**

   No

10. **Identify all investments, obligations, liabilities, or other relationships which involve potential conflicts of interest in the position to which you have been nominated.**

    I have a small amount of bank stock (less than $1,000) in an IRA. If this is determined to be a conflict of interest, I will divest this stock.

11. **Have you ever received a government guaranteed student loan? If so, has this been repaid?**

    Yes, it has been repaid on schedule.

12. **If confirmed, explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.**

    I fully expect to resolve any potential conflict of interest, if any, in a manner that satisfies this Committee.

September 18, 2001

United States Senate
Senate Committee on Agriculture, Nutrition and Forestry
Washington, D.C. 20510-1502

Federal Agricultural Mortgage Corporation
Nominee Questionnaire

1. **Full Name**

   Grace Trujillo Daniel

2. **Date and Place of Birth**

   May 8, 1945
   Tepexpan, Mexico

   Naturalized USA Citizen in 1966

3. **Marital Status**

   Married to Lawrence A. Wertz

   Real Estate Management
   The CEI Group
   2033 N. Main Street, #360
   Walnut Creek, CA 94596

4. **Education**

   University of Southern California – 1997-99
   Masters of Public Administration - 1999
   School of Policy, Planning, and Development

   Pepperdine University - 1975-79
   Bachelor of Science in Management – 1979

5. **Employment Record**

Golden State Marketing Services
President – 1999-Present

Marketing services consultancy assist firms and public organizations to access Latino/Hispanic markets.

Agricultural Labor Relations Board – California State Senate Confirmed. 1997-1999

Board Member - Served as a quasi-judicial member of the board who is responsible for enforcing the Agricultural Labor Relations Act.

Office of Governor Pete Wilson
Chief Deputy Appointments Secretary – 1995-1997

Responsible for advising the Governor and cabinet staff on appointments to executive positions and State Boards and Commissions specializing in the Department of Industrial Relations, Transportation & Housing, Resources Agency and Trade & Commerce Agency.

California Trade and Commerce Agency
Executive Director of the Office of Small Business – 1991-1995

Directed the activities of the Office of Small Business. Oversight responsibility for eight (8) California Regional Corporations, forty (40) small business Development Centers and Business Environmental Assistance Centers.

Golden State Management Services
President – 1988-91

Founded GSMS a management consulting firm in Pasadena, California. Provide strategies to increase minority participation in management and contracting.

Atlantic Richfield Company - Corporate Government Affairs
Director of Government Affairs – 1972-83
Developed and directed a national grass-roots advocacy and political education and recruitment program for Federal, State and local governments.

6. **Military Service:** Have you had any military service?

   No.

7. **Government Service:**

   Agricultural Labor Relations Board – California State Senate Confirmed. 1997-1999

   Board Member - Served as a quasi-judicial member of the board who is responsible for enforcing the Agricultural Labor Relations Act.

   Office of Governor Pete Wilson

   Chief Deputy Appointments Secretary – 1995-1997
   Responsible for advising the Governor and cabinet staff on appointments to executive positions and State Boards and Commissions specializing in the Department of Industrial Relations, Transportation & Housing, Resources Agency and Trade & Commerce Agency.

   California Trade and Commerce Agency
   Executive Director of the Office of Small Business – 1991-1995

   Directed the activities of the Office of Small Business. Oversight responsibility for eight (8) California Regional Corporations, forty (40) small business Development Centers and Business Environmental Assistance Centers.

8. Honors and Awards:

American Legion Award for Leadership
Latin Business Association Advocate of the Year
Gallup Leadership Institute

9. Political Affiliation:

Registered Republican

10. Other Memberships:

Sacramento Hispanic Chamber of Commerce – Member of the Board of Directors.

Girls Scouts Tierra del Oro – Board Member

Salvation Army Women's Auxiliary

HOPE-PAC – Vice President - (Hispanas Organized for Political Equality, Political Action Committee

11. Published Writings:

None

12. Health:

Excellent Health

FINANCIAL DATE & CONFLICT OF INTEREST
Grace Trujillo Daniel

1. Have you severed all connections with your immediate past private sector employers, business firms, associations, and/or organizations?

   I am currently an independent consultant in my own firm Golden State Marketing Services. I am currently not involved in any contractual agreements.

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, incomplete contracts and other future benefits which you expect to derive from previous business relationships professional services, firm memberships, former employers, clients, or customers.

   None

3. Do you, or does any partnership or closely held corporation in which you have an interest, own or operate a farm or ranch?

   No.

4. Have you, or any partnership or closely held corporation in which you have an interest, ever participated in Federal commodity price support programs?

   No.

5. Have you, or any partnership or closely held corporation in which you have an interest, ever received a direct or guaranteed loan from or consigned a note to the Rural Business-Cooperative Service, Rural Housing Service, the Rural Utilities Service or their predecessor agencies, the Farmers Home Administration, the Rural Development Administration, the Rural Housing and Cooperative Development Service or the Rural Electrification Administration?

   No.

6. Have you, or any partnership or closely held corporation in which you have an interest, ever received payments for crop losses from the Federal Crop Insurance program? (If yes, give details.)

NO

7. If confirmed, do you have any plans, commitments, or agreements to pursue outside employment or engage in any business or vocation, with or without compensation, during your service with the government? (If so, explain.)

YES, I plan to continue operating my business.

8. Do you have any plans to resume employment, affiliation, or practice with your previous employers, business firms, associations, or organizations after completing government service? (If yes, give details.)

YES, I plan to continue operating my business.

9. Has anyone made a commitment to employ you or retain your services in any capacity after you leave government service? (If yes, please specify.)

NO

10. Identify all investments, obligations, liabilities, or other relationships which involve potential conflicts of interest in the position to which you have been nominated.

NONE

11. Have you ever received a government guaranteed student loan? If so, has it been repaid?

Yes -- I currently have a Sallie Mae student loan with a $23,000 balance.

12. If confirmed, explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

If necessary, I would be willing to severe the relationship or divest of any holdings.

March 5, 2002

Honorable Tom Harkin
Chairman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

On December 4, 2001, a copy of my SF 278, Executive Branch Public Financial Disclosure Report, required in connection with my nomination to serve as General Counsel for the Department of Agriculture was submitted to the U.S. Office of Government Ethics. That report contained all required financial information for calendar year 2000 and for the calendar year 2001 up to that date.

The Ethics in Government Act of 1978, as amended, also requires that I update certain of the information reported on the SF 278, i.e., that required by section 102(a)(1)(A) of the Act, respecting income (other than dividends, interest, rents, and capital gains) and honoraria, to a date which occurs not more than five days before the date of the hearing to be held by your Committee to consider my nomination. The hearing to be held on my nomination is scheduled for Wednesday, March 6, 2002. The purpose of this letter is to report that between the point at which I filed my Financial Disclosure Report on December 4, 2001 and March 5, 2002, I received $92,171 from Crowell & Moring Partnership and have accrued $5,063.52 as a consultant to USDA.

I trust that this letter satisfies the additional applicable reporting requirements contained in the Ethics in Government Act.

Sincerely,

Nancy Bryson

Nancy S. Bryson
Nominee for General Counsel for the
U.S. Department of Agriculture

cc: Hon. Amy Comstock, Director, US Office of Government Ethics
John Surina, USDA Designated Agency Ethics Officer

QUESTIONNAIRE FOR UNITED STATES DEPARTMENT OF AGRICULTURE NOMINEES
BIOGRAPHICAL INFORMATION (PUBLIC)

1. Full name, (include any former names used), and City and State where you currently reside.

ANSWER: Nancy Southard Bryson (born Nancy Lou Southard)

Washington, D.C. 20016

2. Date and place of birth.

ANSWER: 1/17/51
Pittsfield, Massachusetts

3. Marital Status (include maiden name of wife or husband's name). List spouse's occupation, employer's name and business address(es).

ANSWER: John Alan Bryson
Trial Attorney, U.S. Department of Justice, Environment and Natural Resources Division, 601 D St., N.W., Washington, D.C. 20004

4. Education: List each college and graduate or professional school you have attended, including dates of attendance, degrees received, and dates degrees were granted.

ANSWER:

(1) Boston University (1968-72); BA in History, spring 1972
(2) Georgetown University Law Center (1972-75); J.D., spring 1975
(3) American University College of Law (January 1998 - May 1998) Masters LLM Program in International Law (not completed)

5. Employment Record: List (by year) all business or professional corporations, companies, firms, or other enterprises, partnerships, institutions and organizations, nonprofit or otherwise, including farms, with which you were connected as an officer, director, partner, proprietor, or employee since

graduation from college; include a title and brief job description.

ANSWER:

1. November 1984 - Present, Crowell & Moring LLP (Partner, January 1988 - Present; Associate November 1984 - January 1988)(provide counsel to a wide range of clients on a variety of issues arising under federal environmental laws)
2. November 1979 - November 1984, U.S. Department of Justice, Environmental Division (February 1983 - November 1984, Assistant Chief, Environmental Defense Section; Trial Attorney November 1979 - February 1983) (represent and supervise/manage attorneys representing the U.S. EPA and Army Corps of Engineers on civil and criminal litigation arising under federal environmental laws).
3. June 1975 - November 1979, U.S. Department of Labor, Solicitor's Office, Occupational Safety and Health Appellate Division (January 1979 - November 1979 Assistant Counsel for Appellate Litigation; September 1975 - January 1979 Appellate staff attorney) (brief and argue cases in the federal courts of appeals arising under the Occupational Safety and Health Act and supervise other lawyers doing the same).
4. June 1974 - August 1974, U.S. Environmental Protection Agency, Law Clerk to Administrative Law Judge the Hon. Herbert Perlman (assist with development of findings of fact and conclusions of law in pesticide cancellation proceeding).
5. June 1973 - June 1974, Occupational Safety and Health Review Commission, Law Clerk to Commissioner James Weldon. (research and draft opinions for Commissioners on resolution of occupational safety and health citations against covered employers).
6. September 1972 - April 1973, U.S. House of Representatives, Rep. Silvio Conte (R-Ma) Research Assistant. (research issues of interest to the Congressman).

6. Military Service: Have you had any military service? If so, give particulars, including the dates, branch of service, rank or rate, serial number and type of discharge received.

ANSWER: None

7. Government Service: State (chronologically) your government service or public offices you have held, including the terms of service grade levels and whether such positions were elected or appointed.

ANSWER: as noted above, I have served as a government lawyer with both the Department of Justice (1979 - 84) and the Department of Labor (1975 - 1979). I began as a GS 9 Law Clerk at the Department of Labor prior to passing the bar in November of 1975 and had been promoted to a GS 14 at the time of my departure for the Department of Justice in 1979. I began at DOJ as a GS 14 Step 1 and had been promoted to a GS 15 Step 3 by the time of my departure.

8. Honors and Awards: List any scholarships, fellowships, honorary degrees, and honorary society memberships that you received and believe would be of interest to the Committee.

ANSWER: Phi Beta Kappa

9. Other Memberships: List all organizations to which you belong, excluding religious organizations.

ANSWER: Bar of the District of Columbia, American Bar Association, D.C. Bar Association, Supreme Court Bar, Spring-Valley Wesley Height Citizens Association (former Vice-President); Georgetown Day School Crew Club.

10. Published Writings: List the titles, publishers, and dates of books, articles, reports, or other published materials (including published speeches) you have written. Please include on this list published materials on which you are listed as the principal editor. It would be helpful to the Committee if you could provide one copy of all published material that may not be readily available. Also, to the maximum extent practicable, please supply a copy of all unpublished speeches you made during the past five years on issues involving agriculture, nutrition, forestry or commodity futures policy or related matters.

ANSWER: See attached list of speeches, articles and books for which I have been a contributing Author.

11. Health: What is the present state of your health?

ANSWER: Excellent.

FINANCIAL DATA AND CONFLICT OF INTEREST (PUBLIC)

1. Have you severed all connections with your immediate past private sector employers, business firms, associations, and/or organizations?

ANSWER: Yes. I resigned from my current position as a partner at Crowell & Moring LLP on February 4, 2002.

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, incompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients, or customers.

ANSWER: In general, income from my partnership in Crowell for the year 2001 through the end of November 2001 will have been received by December 31, 2001 and there is no deferred income arrangement. Income for the month of December and any additional income for the year will distributed by March 15 of 2002, after the books are reconciled for the year.

3. Do you, or does any partnership or closely held corporation in which you have an interest, own or operate a farm or ranch? (If yes, please give a brief description including location, size and type of operation.)

ANSWER: My husband and I own a ¼ interest in a 99 acre farm in Westminster, Maryland which has been in my husband's family for almost fifty years. My husband's siblings and spouses own the remaining interests. Some of the fields are rented to a local farmer who raises corn and hay and pays a modest rental for use of the fields.

4. Have you, or any partnership or closely held corporation in which you have an interest, ever participated in Federal commodity price support programs? (If yes, provide all details including amounts of direct government payments and loans received or forfeited by crop and farm, etc. during the past five years.)

ANSWER: No.

5. Have you, or any partnership or closely held corporation in which you have an interest, ever received a direct or

guaranteed loan from or cosigned a note to the Rural Business-Cooperative Service, Rural Housing Service, the Rural Utilities Service or their predecessor agencies, the Farmers Home Administration, the Rural Development Administration, the Rural Housing and Cooperative Development Service or the Rural Electrification Administration? (If yes, give details of any such loan activity during the past 5 years.)

ANSWER: No.

6. Have you, or any partnership or closely held corporation in which you have an interest, ever received payments for crop losses from the Federal Crop Insurance program? (If yes, give details.)

ANSWER: No.

7. If confirmed, do you have any plans, commitments, or agreements to pursue outside employment or engage in any business or vocation, with or without compensation, during your service with the government? (If so, explain.)

ANSWER: No.

8. Do you have any plans to resume employment, affiliation, or practice with your previous employers, business firms, associations, or organizations after completing government service? (If yes, give details.)

ANSWER: No.

9. Has anyone made a commitment to employ you or retain your services in any capacity after you leave government service? (If yes, please specify.)

ANSWER: No.

10. Identify all investments, obligations, liabilities, or other relationships which involve potential conflicts of interest in the position to which you have been nominated.

ANSWER: As outlined in my ethics agreement letter of December 4, 2001, to John C. Surina, investments which present a potential conflict of interest include stock or limited partnership holdings in Alberta Energy Company, Shaw Communications, The Fleming Companies, and Cardinal Health Corporation (held through

the Fidelity Dividend Growth Fund).

Other relationships include my previous partnership in Crowell & Moring LLP and representation in that capacity of the following clients: AEGIS Environmental Management, Alliance of Western Milk Producers, Aquarium Pharmaceuticals, Berwind Corporation, Cosmetics, Toiletries & Fragrance Association, the Dow Chemical Company, Dynamac Corporation, EI. duPont de Nemours & Co., Gjensidige nor Forsiking, Lonza, Inc., Merial, Limited, The Proctor & Gamble Co., Protec Health, Limited, Reckitt Benckiser, Inc., S.C. Johnson and Son, Inc., the Triazine Joint Venture, West Chemical, Wisdom Toothbrushes, Ltd., and White Consolidated Industries.

11. Have you ever received a government guaranteed student loan? If so, has it been repaid?

Answer: Yes and Yes.

12. If confirmed, explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

Answer: I will implement the terms of my ethics agreement, dated December 4, 2001.

United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

January 2, 2002

The Honorable Tom Harkin
Chairman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, DC 20510-6000

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Nancy S. Bryson, who has been nominated by President Bush for the position of General Counsel, Department of Agriculture.

We have reviewed the report and have also obtained advice from the Department of Agriculture concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is a letter dated December 4, 2001, from Ms. Bryson to the agency ethics official which discusses Ms. Bryson's recusal undertakings and other matters. Unless a specific date has been agreed to, the nominee must comply fully within three months of her confirmation date with the actions she agreed to take in her ethics agreement.

Based thereon, we believe that Ms. Bryson is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

Amy L. Comstock
Director

Enclosures

SF 278 (Rev. 03/2000)
5 C.F.R Part 2634
U.S. Office of Government Ethics

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Form Approved:
OMB No. 3209-0001

Date of Appointment, Candidacy, Election or Nomination (*Month, Day, Year*)	Reporting Status (*Check appropriate boxes*)	Incumbent	Calendar Year Covered by Report	New Entrant, Nominee, or Candidate	Termination Filer	Termination Date (*If Applicable*) (*Month, Day, Year*)
		☐		☒	☐	

	Last Name	First Name and Middle Initial
Reporting Individual's Name	Bryson	Nancy S.
Position for Which Filing	Title of Position: General Counsel	Department or Agency (*If Applicable*): U.S. Department of Agriculture
Location of Present Office (or forwarding address)	Address (*Number, Street, City, State, and ZIP Code*): Crowell & Moring LLC, 1001 Pennsylvania Avenue, N.W. Washington, D.C. 20004-2595	Telephone No. (*Include Area Code*): (202) 624-2529
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: None.	

Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination	Do You Intend to Create a Qualified Diversified Trust?
	Committee on Agriculture, Nutrition and Forestry	☐ Yes ☒ No

Certification	Signature of Reporting Individual	Date (*Month, Day, Year*)
I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Nancy S. Bryson	Dec. 4, 2001
Other Review (If desired by agency)	Signature of Other Reviewer	Date (*Month, Day, Year*)
Agency Ethics Official's Opinion	Signature of Designated Agency Ethics Official/Reviewing Official	Date (*Month, Day, Year*)
On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below).	David R. Gradlin	Dec 4, 2001
Office of Government Ethics Use Only	Signature: Stuart W. Rich	Date (*Month, Day, Year*): 1-2-02

Comments of Reviewing Officials (*If additional space required, use the reverse side of this sheet*)

(*Check box if filing extension granted & indicate number of days _____*) ☐

(*Check box if comments are continued on the reverse side*) ☐

Fee for Late Filing

Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a $200 fee.

Reporting Periods

Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A—The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B—Not applicable.

Schedule C, Part I (Liabilities)—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)—Show any agreements or arrangements as of the date of filing.

Schedule D—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Agency Use Only

OGE Use Only

DEC - 4 2001

SF278 (Rev. 03/2000)
5 C.F.R Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name	SCHEDULE A	Page Number
Nancy S. Bryson		1

Assets and Income BLOCK A	Valuation of Assets at close of reporting period BLOCK B											Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. BLOCK C														
													Type			Amount										
For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding $1,000 at the close of the reporting period, or which generated more than $200 in income during the reporting period, together with such income. For yourself, also report the source and actual amount of earned income exceeding $200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than $1,000 (except report the actual acount of any honoraria over $200 of your spouse). None ☐	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date *(Mo., Day, Yr.)* Only if Honoraria
Examples	Central Airlines Common			X										X		X					X									
	Doe Jones & Smith, Hometown, State		X											X															Law Partnership Income $150,000	
	Kempstone Equity Fund				X								X										X							
	IRA: Heartland 500 Index Fund						X						X											X						
1 Crowell & Moring LLP, Washington, DC Law Partnership -- Partnership Share												X																	Partnership CY 2000 CY 2001	Share $355,000 $357,845
2 -- Capital Account					X							X																		
3 -- Lump Sum Partnership share				X								X																		
4 Crowell & Moring International LP Washington, D.C. -- Derivitive Equity Share												X																	Partnership CY 2000 CY 2001	Share $4538 TBDeterm
5 -- Fidelity Diversified International Fund					X							X	X								X									
6 -- Fidelity Puritan Fund					X							X	X											X						

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Prior Editions Cannot be Used.

SF278 (Rev. 03/2000)
5 C.F.R Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name	SCHEDULE A continued (Use only if needed)	Page Number
Nancy S. Bryson		2

Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period (BLOCK B)											Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)													
												Type			Amount									
None ☐	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1 Crowell & Moring -- Keough Plan (cont.) -- Fidelity Aggressive Growth Fund (sold)	X											X							X												
2 -- Janus Mercury Fund (sold)	X											X							X												
3 -- Spartan U.S. Equity Index Fund (sold)	X											X												X							
4 -- Fidelity Dividend Growth Fund					X							X												X							
5 Farm land, Westminster, Maryland -- Land (99 acres) & buildings (1/4 interest with brother&sisters-in-law)				X																											
6 -- Land Rental (1/4 share -- Residence of in-laws)																	X							X							
7 -- Cash Rental -- corn & hay (1/4 share -- land usage to a farmer)																	X			X											
8 Nancy Bryson Revocable Trust (NBRT) -- Shaw Communications (common)			X																X												
9 -- Alberta Energy Co., Ltd. (common)		X														X				X											

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Prior Editions Cannot be Used.

SF278 (Rev. 03/2000)
5 C.F.R Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name	SCHEDULE A continued (Use only if needed)	Page Number
Nancy S. Bryson		3

Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period (BLOCK B)									Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)																		
													Type			Amount												Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
	None	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000		
1	NBRT (Cont.) -- Int'l Design & Constr. Online, Inc. Annapolis, Maryland (common)		X																	X											Construction busines-to-website service	Industry business provider
2	-- Blyth, Inc. (common)			X																X												
3	John Bryson Revocable Trust -- Heritage Cash Trust Money Market Fund			X										X								X										
4	-- Alberta Energy Co., Ltd. (common)				X												X					X										
5	-- Int'l Design & Constr. Online, Inc. Annapolis, Maryland (common)		X																	X												
6	-- Yankee Candle, Inc. (common)			X																X												
7	-- U.S. Bancorp. Delaware (common) (sold)	X															X					X										
8	IRA -- Nancy Bryson -- Iron Mountain, Inc. (common)			X																X												
9	-- Raymond James Bank Savings Account			X															X				X									

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Reporting Individual's Name	SCHEDULE A continued (Use only if needed)	Page Number
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Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period (BLOCK B)									Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)												
											Type			Amount								
None ☐	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1 IRA -- John Bryson -- Jones Apparel Group, Inc. (com..ion)		X																X			X										
2 -- Raymond James Bank Savings Account		X															X			X										
3 U.S. Savings Bonds (Series H & E) (sold)	X																X					X								
4 General Dynamics Corp. (sold)	X															X			X				X							
5 Vanguard Funds -- Tax-Exempt Money Market Trust			X										X					X					X							
6 -- Capital Opportunity Fund		X											X										X							
7 -- Primecap Fund		X											X										X							
8 -- Growth Index Fund (sold)	X												X							X										
9 -- 500 Index Fund (sold)	X												X											X						

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Reporting Individual's Name	SCHEDULE A continued	Page Number
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Assets and Income	Valuation of Assets at close of reporting period											Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item.																
BLOCK A	BLOCK B												BLOCK C															
													Type			Amount											
None ☐	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1 Vanguard Funds (Cont.) -- Total Stock Market Index Fund (sold)												X	X								X										
2 Fidelity Funds -- Municipal Money Market Fund		X										X							X												
3 -- Spartan Intermediate Municipal (sold) Income Fund		X										X											X								
4 -- Growth Company Fund (sold)		X										X												X							
5 -- Growth & Income Fund (sold)		X										X												X							
6 -- Capital Opportunity Fund (DC1)			X									X									X										
7 -- Primecap Fund (DC1)			X									X											X								
8 -- Capital Opportunity Fund (DC2)			X									X									X										
9 -- Primecap Fund (DC2)			X									X											X								

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Reporting Individual's Name	SCHEDULE A continued (Use only if needed)	Page Number
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Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period (BLOCK B)											Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)																
														Type			Amount											
None ☐	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (*Mo., Day, Yr.*) Only if Honoraria
1 IRA - Nancy Bryson (cont. from p.3) -- Fleming Companies (common)		X																	X											
2 Suntrust bank Joint checking account	X																X			X										
3																														
4																														
5																														
6																														
7																														
8																														
9																														

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Do not Complete Schedule B if you are a new entrant, nominee, Vice Presidential or Presidential Candidate

Reporting Individual's Name	SCHEDULE B	Page Number
Nancy S. Bryson		7

Part I: Transactions

None ☐

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

	Identification of Assets	Transaction Type (x)			Date (*Mo., Day, Yr.*)	Amount of Transaction (x)															
		Purchase	Sale	Exchange		$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
	Example: Central Airlines Common	x			2/1/99			x									
1																	
2																	
3																	
4																	
5																	

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than $260; and (2) travel-related cash reimbursements received from one source totaling more than $260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. **Exclude** anything given to you by the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth $104 or less. See instructions for other exclusions.

None ☐

	Source (*Name and Address*)	Brief Description	Value
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/1-5/99 (personal activity unrelated to duty)	$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	$300
1			
2			
3			
4			
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Do not Complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

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Nancy S. Bryson		8

Part I: Transactions

	Identification of Assets	Transaction Type (x)			Date (Mo., Day, Yr.)	Amount of Transaction (x)												
		Purchase	Sale	Exchange		$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
	Example: Central Airlines Common	x			2/1/99			x									
1																	
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16																	

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

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Reporting Individual's Name	SCHEDULE C	Page Number
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Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None [X]

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x)											
						$10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples:	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			X								
	John Jones, 123 J St., Washington, DC	Promissory note	1999	10 %	on demand					X						
1																
2																
3																
4																
5																

* This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: continuing participation in an employee benefit plan (e.g. 401k, deferred compensation; (2) continuation payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits

None [ ]

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	Pursuant to partnership agreement will receive: -- Payment of capital account in the amount of $124,000 by 3/31/2002.	Crowell & Moring LLP Washington, D.C.	11/87
2	-- Payment of lump sum for services rendered through the date of termination to be paid approximately at the end of 2001 for calendar 2001, with any "tr "true up" for calendar 2001 paid by 3/31/2002.	Crowell & Moring LLP Washington, D.C.	11/87
3	-- Keough Plan	Crowell & Moring LLP Washington, D.C.	11/87
4			
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6			

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Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization (*Name and Address*)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	Crowell & Moring LLP Washington, D.C.	Law Firm	Equity Partner Income Partner	01/1988 01/2002	12/2001 Present
2	Legal Aid Society of D.C. Washington, D.C.	Legal Service Non-profit provider	Board Member	06/1999	06/2001
3	Spring Valley/Wesley Heights Citizens Association Washington, D.C.	Citizen's Association	Vice President	03/1998	11/2001
4	Georgetown Day School Crew Club Washington, D.C.	School booster club	Co-President/Fundraising Committee	06/1998	06/2001
5	American Bar Association Special Committee on Pesticides Chicago, Illinois	Professional Association	Vice-Chair	09/1999	11/2001
6	American Bar Association Science & Technology Section Chicago, Illinois	Professional Association	Chair, Environmental Public Health	09/2000	11/2001

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None ☐

	Source (*Name and Address*)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	AEGIS Environmental Management Midland, Michigan	Legal services in connection with data compensation advice and counsel.
2	Alliance of Western Milk Producers Sacremento, California	Legal services in connection with federal standards of identity for milk.
3	Aquarium Pharmaceuticals Chalfont, Pennsylvania	Legal services in connection with EPA regulatory compliance.
4	Berwind Corporation Philadelphia, Pennsylvania	Legal services in connection with FDA regulatory compliance.
5	Cosmetics, Toiletries & Fragrance Association Washington, D.C.	Amicus brief in support of EPA Clean Air Act rule for consumer products.
6	The Dow Chemical Company	Legal services in connection with EPA regulatory compliance.

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Part I: Positions Held Outside U.S. Government

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None ☐

	Organization (*Name and Address*)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	American Bar Association Science & Technology Section Chicago, Illinois	Professional Association	Section Liaison to Environment Committee	09/2001	11/13/2001
2	Law and Science Academy Washington, D.C.	Bar Association Educational Organization	D.C. bar Liaison	10/1998	11/19/2001
3	Nancy Bryson Revocable Trust	Private Investment Trust	Trustee	11/1998	Present
4					
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Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None ☐

	Source (*Name and Address*)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	Dynamac Corporation Rockville, Maryland	Regulatory counseling in connection with EPA requirements for biosensors.
2	E.I. duPont de Nemours & Co. Wilmington, Delaware	Regulatory counseling in connection with EPA registration requirements.
3	Gjensidige nor Forsiking Oslo, Norway	Counseling in connection with FDA HAACP requirements for imported seafood.
4	Lonza, Inc. Fairlawn, New Jersey	Counseling in connection with EPA/OSHA compliance issues.
5	Merial, Limited Iselin, New Jersey	Regulatory counseling in connection with strategy for non-EPA registered product.
6	The Proctor & Gamble Co., Cincinnati, Ohio	Counseling/strategic reform representation on EPA registration process.

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Part I: Positions Held Outside U.S. Government

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None ☐

	Organization (*Name and Address*)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1					
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Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

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None ☐

	Source (*Name and Address*)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	Protec Health, Limited Circenscester, England, UK	Regulatory counseling/strategic management of application pending at EPA.
2	Reckitt Benckiser, Inc. Wayne, New Jersey	Regulatory counseling in connection with EPA/CA Air Resources Board product issues.
3	S.C. Johnson and Son, Inc. Washington, D.C.	Counseling/strategic reform representation on EPA registration process.
4	Triazine Joint Venture - (The Dow Chemical Co., Buckman Laboratories, Troy Chemical, Arch Chemicals and Stepan Chemical)	Represent joint venture on data compensation matters arising from EPA registration process and European Biocidal Products Directive Implementation.
5	Buffalo Grove, Illinois	
6	West Chemical Princeton, Illinois	EPA regulatory counseling & advice/defense of proposed enforcement action.

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Part I: Positions Held Outside U.S. Government

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None ☐

	Organization (*Name and Address*)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1					
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5					
6					

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None ☐

	Source (Name and Address)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	Wisdom Toothbrushes, Ltd. Suffolk, England, U.K.	EPA/FDA regulatory counseling/advice on dual jurisdiction issues.
2	White Consolidated Industries Cleveland, Ohio	Representation in EPA rulemaking proceeding/appellate review in D.C. Circuit (COURT???)
3	Crowell & Moring LLP Washington, D.C.	Legal services.
4		
5		
6		

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John C. Surina
Designated Agency Ethics Official
U.S. Department of Agriculture
Washington, DC 20250-0122

December 4, 2001

Dear Mr. Surina:

The purpose of this letter is to describe the steps that I intend to take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of General Counsel, U.S. Department of Agriculture.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to section 208(b)(1), or qualify for a regulatory exemption, pursuant to section 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse, minor children, or any general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

Investments.

I understand that the following stock or limited partnership holdings present a potential conflict of interest under section 208(a), although it has been determined that it is not necessary at this time for me to divest these interests:

Alberta Energy Company;
Shaw Communications;
The Fleming Companies; and
Cardinal Health Corporation (held through the Fidelity Dividend Growth Fund).

I will not participate personally and substantially in any particular matter that will have a direct and predictable effect on the financial interests of these entities, unless I first obtain a written waiver or qualify for a regulatory exemption.

Law Partnership.

I also currently am an equity partner in the law firm of Crowell & Moring, LLP, in Washington, D.C. I will terminate by equity partnership status on December 31, 2001. Commencing January 1, 2002, I will serve as an income partner with this firm. Should I be confirmed, I will resign my position prior to my appointment. As arranged with

Crowell & Moring, LLP, and pursuant to the partnership agreement, I will receive, by March 31, 2002, payment-in-full of my capital account in the amount of $124,000, and a lump sum payment for services rendered through the date of termination. Also, by that date, I will rollover my Keough Plan into a personal Individual Retirement Account.

I understand that, subsequent to my termination from Crowell & Moring, LLP, I will retain a financial interest in the ability or willingness of Crowell & Moring, LLP, to: make the agreed payment of my capital account and to make the agreed lump sum payment for services rendered. Accordingly, pending payment-in-full of both the capital account and lump sum, I will not participate personally and substantially in any particular matter that will have a direct and predictable effect on the ability or willingness of Crowell & Moring LLP, to make the promised payments.

Additionally, I understand that I will still have a covered relationship with Crowell & Moring, LLP, as defined at 5 C.F.R. § 2635.502(b)(1)(iv), for a period of one year after my termination from that firm. Accordingly, pursuant to 5 C.F.R. § 2635.502, for one year following my termination, I will not participate in any particular matter involving specific parties in which Crowell & Moring, LLP, is a party or represents a party, unless I am authorized to participate.

Also, I will have a covered relationship with any clients for whom I have acted as attorney within a year prior to my appointment. Pursuant to 5 C.F.R. § 2635.502, even where otherwise permissible under 18 U.S.C. § 208(a), for a period of one year after the termination of the attorney-client relationship, I will not participate in any particular matter involving specific parties in which any one of my former clients is a party or represents a party, unless I am authorized to participate. [NOTE: I have attached to this agreement, a list of entities for which I provided legal services within the past year and which compensated me for such services in an amount in excess of $5,000. However, I fully understand that this requirement applies to all such clients irrespective of the amount of compensation paid for my services].

Family Farm. My husband and I own jointly a one-quarter interest, with my husband's siblings and their spouses in an unincorporated family farm located in Westminster, Maryland. As a part-owner of this farm, I own a one-quarter share in the rents received for the rental of the land by my mother-in-law and father-in-law. Also, a as part-owner, I hold a one-quarter share in the cash rental from sale of corn and hay by a local farmer who works the farm land. I hold no office, nor do I have any management responsibilities concerning either the farm or its leases. Neither the owners of the farm, nor the lessees, participate in any Federal programs connected with the farm. However, I will not participate personally and substantially in my Federal position in any particular matter that will have a direct and predictable effect on either the financial interests of the farm, or its lessees, unless I first obtain a written waiver or qualify for a regulatory exemption.

Mr. John C. Surina

Participation in non-Federal entities.

I have resigned from the following positions with non-profit entities:

Board member. Legal Aid Society of D.C.
Positions with American Bar Association:
Vice-Chair. Special Committee on Pesticides.
Chair, Environmental Public Health. Science & Technology Section.
Section Liaison to Environment Committee. Science & Technology Section.
D.C. Bar Liaison. Law and Science Academy.
Vice President. Spring Valley/Wesley Heights Citizen Association.
Co-President/Fundraising Committee. Georgetown Day School Crew Club.

Pursuant to 5 C.F.R. § 2635.502, for a period of one year after the termination of these positions, I will not participate in any particular matter involving specific parties in which any one of these organizations is a party or represents a party, unless I am authorized to participate.

I will remain in the following position for which I do not receive any compensation:

Trustee. Nancy Bryson Revocable Trust.

Contingent liability.

In *Elouise Cobell, et al. v. Gale Norton, Secretary of the Interior, et al.*, (D. D.C.), Civ. No. 96-1285 (RCL), a case concerning the Interior Department's administration of trust accounts for individual Indians, plaintiffs filed on October 19, 2001, a "Motion for an Order to Show Cause Why Defendants, their Employees and Counsel Should Not Be Held in Contempt for Violating Court Orders and For Defrauding this Court in Connection with Trial One." Plaintiffs allege that defendants and 37 other individual non-party employees of the Department of the Interior
and the Department of Justice engaged in contumacious and fraudulent conduct in the litigation. Plaintiffs request the imposition of sanctions on the individuals in both their official and personal
capacities, including an unspecified monetary award in compensation for the costs of bringing the motion and for the costs of a receivership plaintiffs are seeking.

My husband, John A. Bryson, is employed as an attorney at the Department of Justice, and his name is included in the list of 39 individuals as to whom a show cause order is requested, which is the only specific mention of Mr. Bryson in plaintiffs' papers. Plaintiffs make no specific allegation of misconduct by Mr. Bryson. He appeared with other counsel in the United States Court of Appeals for the District of Columbia Circuit in connection with an appeal in the case, and his substantive participation in the case was to review a draft of the government's opening and reply briefs. He has no other substantive connection with the case. The Department of Justice has opposed the motion

in so far it seeks sanctions against the individuals in their official capacities, and Mr. Bryson's personal lawyer, provided by the Department of Justice, has also opposed the motion in so far as it seeks sanctions against Mr. Bryson in his personal capacity. On November 28, 2001, the district court deferred ruling on the motion with respect to non-party employees and counsel. The court issued a show cause order with respect to the Secretary of the Interior and the Assistant Secretary of the Interior for Indian Affairs.

As this case presents a potential for my husband to be held liable, I recognize that I have an imputed financial interest in the outcome of this litigation. Accordingly, I will not participate personally and substantially in any particular matter that has a direct and predictable effect either on this litigation, or on the named plaintiffs in this action, unless I first obtain a written waiver.

I believe that the above actions will serve to keep my free from any actual or apparent violation of conflicts laws and regulations.

Sincerely,

Nancy S. Bryson

Nancy S. Bryson

Mr. John C. Surina

ATTACHMENT

AEGIS Environmental Management, Midland, Michigan
Alliance of Western Milk Producers, Sacramento, California
Aquarium Pharmaceuticals, Chalfont, Pennsylvania
Berwind Corporation, Philadelphia, Pennsylvania
Cosmetics, Toiletries & Fragrance Association, Washington, D.C.
The Dow chemical Company
Dynamac Corporation, Rockville, Maryland
E.I. duPont de Nemours & Co., Wilmington, Delaware
Gjensidige nor Forsiking, Oslo, Norway
Lonza, Inc., Fairlawn, New Jersey
Merial, Limited, Iselin, New Jersey
The Proctor & Gamble Co., Cincinnati, Ohio
Protec Health, Limited, Cirencester, England, U.K.
Reckitt Benckiser, Inc., Wayne, New Jersey
S.C. Johnson and Son, Inc., Washington, D.C.
Triazine Joint Venture - (The Dow Chemical Co., Buckman Laboratories, Troy Chemical, Arch Chemicals
and Stepan Chemical), Buffalo Grove, Illinois
West Chemical, Princeton, Illinois
Wisdom Toothbrushes, Ltd., Suffolk, England, U.K.
White Consolidated Industries, Cleveland, Ohio

March 5, 2002

Honorable Tom Harkin
Chairman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

On April 30, 2001, a copy of my SF 278, Executive Branch Public Financial Disclosure Report, required in connection with my nomination to serve as Under Secretary of Agriculture for Rural Development was submitted to the U.S. Office of Government Ethics. That report contained all required financial information for calendar year 2000 and for the calendar year 2001 to date.

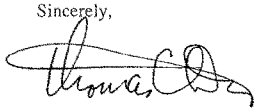
The Ethics in Government Act of 1978, as amended, also requires that I update certain of the information reported on the SF 278, i.e., that required by section 102(a)(1)(A) of the Act, respecting income (other than dividends, interest, rents, and capital gains) and honoraria, to a date which occurs not more than five days before the date of the hearing to be held by your Committee to consider my nomination. The hearing to be held on my nomination is scheduled for Wednesday, March 6, 2002. The purpose of this letter is to report that since I filed my Financial Disclosure Report on April 30, 2001 and March 5, 2002, I received the following earned income:

Consultant Income at USDA	$83,770.72
PGF Seeds Corn Sales	$ 1,005.23
Dorr Inc. Corn Sales	$16,132.60
Pine Grove Farm Corn Sales	$ 2,542.70
Pine Grove Farm Corn Hedge Gain	$ 5,158.68
Pine Grove Farm Soybean Sales	$31,255.80
Pine Grove Farm Salary	$34,405.00
FSA - Market Loan Assistance	$ 3,913.00
FSA - Oilseed Payment	$ 1,205.00
FSA - Loan Deficiency Payments	$ 9,741.62

Crop Insurance Settlement	$ 324.00
total:	$189,454.35

I trust that this letter satisfies the additional applicable reporting requirements contained in the Ethics in Government Act.

Sincerely,



Thomas C. Dorr
Nominee for Under Secretary of Agriculture
For Rural Development

cc: Hon. Amy Comstock, Director, US Office of Government Ethics
John Surina, USDA Designated Agency Ethics Officer

QUESTIONNAIRE FOR UNITED STATES DEPARTMENT OF AGRICULTURE NOMINEES
BIOGRAPHICAL INFORMATION (PUBLIC)

1. Full name,(include any former names used),and City and State where you currently reside.

   Thomas C. Dorr

   Marcus, Iowa 51035

2. Date and place of birth.

   Cherokee, Iowa
   27 June 46

3. Marital Status (include maiden name of wife or husband's name). List spouse's occupation, employer's name and business address(es).

   Ann Louise Allison-Dorr (Ann L. Dorr)

4. Education: List each college and graduate or professional school you have attended, including dates of attendance, degrees received, and dates degrees were granted.

   Morningside College
   Sioux City, Iowa
   1964 - 1969
   B.S.
   June 1969

5. Employment Record: List (by year) all business or professional corporations, companies, firms, or other enterprises, partnerships, institutions and organizations, nonprofit or otherwise, including farms, with which you were connected as an officer, director, partner, proprietor, or employee since graduation from college; include a title and brief job description.

   2000 Chairman, Administrative Council, Grace United Methodist Church - Marcus, Iowa

   October 2000 - February 2001 Director, Donlar/Biomune Systems Inc., Bedford Park, Il. The firm specializes in the development and manufacture of bio-degradable polymers with applications in the energy and agricultural production sectors.

   1976 - 2001 President, Dorr's Pine Grove Farm Company, Marcus,

Iowa. A farm operating company involved in the rental, management, and custom farming of family and non-family owned farm properties.

1980 - 2001 President, PGF Seeds Incorporated, Marcus, Iowa. A personally held corporation whose primary business is the contract production of soybean seed and operating an Iowa state licensed grain elevator and warehouse. The company also retails soybean seed.

1972 - 1976 Employee, H & M Dorr Farms, Marcus, Iowa. Returned as employee of my Father and Uncle's family farming operation. Responsible for day to day crop and livestock operations.

1969 - 1972 District Manager for the Measurement Research Center, Iowa City, Iowa. Responsible for sample selection and site administration of the testing programs for the National Assessment of Educational Progress effort (NAEP) in select regions of the country. This program continues today and is being administered by the Education Commission of the States.

1993 - 2001 General Manager and Partner of Dorr Swine, LLC. This is a family owned limited liability company which owns a 3600 head swine contract finishing facility.

1995 - 2001 General Manager and Partner of Dorrs' North Pork LLC. This is a family owned limited liability company which owns a 4000 head swine finishing facility.

1990 - 1998 Officer and Director Dorr Incorporated. A family owned farm corporation which owns and operates farm land in the Marcus, Iowa area.

1998 - 2001 President of Dorr Incorporated. A family owned farm corporation which owns and operates farm land in the Marcus, Iowa area.

1992 - 1998 Director - Federal Reserve Bank of Chicago. Committee assignments included a term as Chairman of the Personnel Committee and serving on the Executive Committee. As board members, our primary responsibilities included bank governance and the establishment of bi-weekly monetary policy recommendations to the Board of Governors and the Federal Open Market Committee.

1991 - 1997 Member - Iowa Board of Regents. Appointed by the Governor of Iowa. The board is responsible for establishing policy and the administration of the five Regents institutions of Iowa, which included administering an annual budget in excess of $ 2.0 billion. I held a variety of committee assignments, which included a term as Chairman of the Banking Committee.

1990 - 1991 Director - Wallace Technology Transfer Foundation. Appointed by the Governor of Iowa to a foundation established by the Iowa State Legislature to formulate and implement plans and programs for development and transfer of technology to facilitate commercialization by the private sector.

1990 - 1992 President & Director, Founding Member & Organizer, Heartland Care Center, Marcus, Iowa. Organizer, founding member and first elected President of the Board of Directors of Heartland Care Center, a $2.8 million privately funded long term care facility in Marcus. Facility was completed and opened in July 1995.

1988 - 1991 Director, Founding Member & Organizer, Cherokee County Area Economic Development Corporation - Cherokee, Iowa. A non-profit corporation whose mission is to combine community and rural resources into one focused economic development effort for the county.

1987 President & Director, Founding Member & Organizer, Chicago Central and Pacific Shippers Association, Aurelia, IA. An association organized with the expressed purpose of providing support and improving communications to the management of a struggling railroad while retaining the use and viability of a major regional rail line. The effort was successful and the organization disbanded.

1986 - 1988 Director, Marcus Economic Development Corporation - Marcus, Iowa. A local non-profit volunteer organization whose mission is to facilitate local economic growth. It is privately funded.

1983 - 1986 Member, Cherokee County Board of Review - Cherokee, Iowa. Appointed by the Cherokee County Board of Supervisors. I served as one of a three member appointed panel for a three year term, as provided by Iowa law, to adjudicate taxpayer property tax assessment appeals.

1978 - 1986 Director and Officer, National Corn Growers Association - St. Louis, Mo. A farmer commodity organization concerned with the development of farm economic and political policies at national and international levels. Elected to board by peers from Iowa.

1976 - 1985 Director and Officer, Iowa Corn Growers Association - Des Moines, IA. A farmer commodity organization concerned with the development of farm economic and political policies at national and international levels. A member and key architect of the implementation of the first statewide corn check off that was passed into law and instituted within the United States.

6. Military Service: Have you had any military service? If so, give particulars, including the dates, branch of service, rank or rate, serial number and type of discharge received.

Yes. July 1966 - May 1968, Iowa Air National Guard, 185th Sioux City, Iowa. Airman, forget specific rank. Don't recall serial number. Honorable Discharge, May 1968.

7. Government Service: State (chronologically) your government service or public offices you have held, including the terms of service grade levels and whether such positions were elected or appointed.

None

8. Honors and Awards: List any scholarships, fellowships, honorary degrees, and honorary society memberships that you received and believe would be of interest to the Committee.

None

9. Other Memberships: List all organizations to which you belong, excluding religious organizations.

National Corn Growers Association, Iowa Corn Growers Association, Iowa Soybean Association, Iowa Farm Bureau Federation, Agi-Business Association of Iowa, Marcus, Iowa Chamber of Commerce, Republican Party of Iowa, Cherokee County Rural Water District, Iowa Lakes Electric Cooperative, First Farmers Coop Association, Cherokee, Iowa, Farmers Cooperative Society, Sioux Center, Iowa,

10. Published Writings: List the titles, publishers, and dates of books, articles, reports, or other published materials (including published speeches) you have written. Please include on this list published materials on which you are listed as the principal editor. It would be helpful to the Committee if you could provide one copy of all published material that may not be readily available. Also, to the maximum extent practicable, please supply a copy of all unpublished speeches you made during the past five years on issues involving agriculture, nutrition, forestry or commodity futures policy or related matters.

No

11. Health: What is the present state of your health?

Excellent

FINANCIAL DATA AND CONFLICT OF INTEREST (PUBLIC)

1. Have you severed all connections with your immediate past private sector employers, business firms, associations, and/or organizations?

   I have or will upon confirmation.

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, incomplete contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients, or customers.

   Dorr Swine, LLC - Lease-Purchase Option outstanding
   Balance of lease payments through February 2002 - $ 49,800.00
   Sale price revenue if option exercised $ 162,720.00
   (All of above gross proceeds prior to repaying balance of mortgage and taxes due.)

3. Do you, or does any partnership or closely held corporation in which you have an interest, own or operate a farm or ranch? (If yes, please give a brief description including location, size and type of operation.)

   Yes, the following.

   Thomas C. Dorr 250 acres of land in Cherokee, County, Iowa
   Dorr Incorporated 265 acres of land in Cherokee, County, Iowa
   Dorr Swine, LC 15 acres of land in Cherokee, County, Iowa
   Dorrs' North Pork, LC10 acres of land in Cherokee, County, Iowa

   Thomas C. Dorr's and Dorr Incorporated's property is farmland on which we produce corn and soybeans. Dorr Inc. is a family farm corporation founded in the late 1940's. I own less than 10% of the stock.

   Dorr Swine and Dorrs' North Pork are contract swine finishing units. They are owned in Limited Liability (partnership) arrangements with several Brothers, my Mother, and one cousin.

4. Have you, or any partnership or closely held corporation in which you have an interest, ever participated in Federal commodity price support programs? (If yes, provide all details including amounts of direct government payments and loans received or forfeited by crop and farm, etc. during the past five years.)

   See attached Item "Addendum 4a"

5. Have you, or any partnership or closely held corporation in which you have an interest, ever received a direct or guaranteed loan from or cosigned a note to the Rural

Business-Cooperative Service, Rural Housing Service, the Rural Utilities Service or their predecessor agencies, the Farmers Home Administration, the Rural Development Administration, the Rural Housing and Cooperative Development Service or the Rural Electrification Administration? (If yes, give details of any such loan activity during the past 5 years.)

Yes, but not in the last five years.

6. Have you, or any partnership or closely held corporation in which you have an interest, ever received payments for crop losses from the Federal Crop Insurance program? (If yes, give details.)

Yes

1993 - Due to excess rain crop production was impeded and Dorr's Pine Grove Farm Co. and I, personally, received indemnity payments from crop insurance coverage provided by our Multi-Peril Crop Insurance policies

2000 - Due to drought crop production was impeded and Dorr's Pine Grove Farm Company, Dorr Inc., and I, personally, received indemnity payments from crop insurance coverage provided by our CRC 80 insurance policies.

7. If confirmed, do you have any plans, commitments, or agreements to pursue outside employment or engage in any business or vocation, with or without compensation, during your service with the government? (If so, explain.)

No

8. Do you have any plans to resume employment, affiliation, or practice with your previous employers, business firms, associations, or organizations after completing government service? (If yes, give details.)

Yes, return to my farming and grain business operations.

9. Has anyone made a commitment to employ you or retain your services in any capacity after you leave government service? (If yes, please specify.)

No.

10. Identify all investments, obligations, liabilities, or other relationships which involve potential conflicts of interest in the position to which you have been nominated.

As to my nomination for Under Secretary for Rural Development, I have modest equity interests in a number of publicly traded entities, which could conceivably be a party to, or be directly and substantially affected by, a particular matter which could

arise within USDA and within in the purview of the Under Secretary of Agriculture for Rural Development. Those entities are (1) Enron Corporation; (2) McLeod USA; (3) Global Crossing; (4) Citigroup Inc.; (5) Farmers Co-op Society, Sioux Center, Iowa.

In anticipation of receiving the traditional companion nomination, that of board member of the Commodity Credit Corporation, I own in their entirety Dorr's Pine Grove Farm Company, a farm operating company; and PGF Seeds, Inc., an Iowa state licensed grain elevator and warehouse, which also maintains a USDA-CCC issued Uniform Grain Storage Agreement.

I also have minority interests in Dorr Inc., a family farming corporation, three family trusts established by my deceased Father, and Dorr Swine LLC and Dorr's North Pork LLC, which are family owned contract swine feeding operations.

I have outstanding loan arrangements with the following lending institutions: Farmers State Bank, Marcus, Iowa; Cherokee State Bank, Cherokee, Iowa; Northwestern State Bank, Orange City, Iowa; and PHI Financial Services, Johnston, Iowa.

11. Have you ever received a government guaranteed student loan? If so, has it been repaid?

Yes, it has been fully repaid.

12. If confirmed, explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

In the event I am confirmed as Under Secretary of Agriculture for Rural Development, I will disqualify myself from participating personally and substantially in any particular matters, which may arise within USDA during my service that would have a direct and predictable effect on the named entities.

In the event I am confirmed to the position of Board Member of the Commodity Credit Corporation it is my intent to do the following with regard to Dorr's Pine Grove Farm Company, the farm operating company. I will liquidate its farming equipment and machinery, and resign as an officer and director of DPGFCO, and-for the duration of my service as an official of the Department of Agriculture-terminate completely the company's farming activities. The leases on the family lands currently being farmed by DPGFC will be terminated after the current crop year, and will be leased to other operating entities in which I will have no ownership interest. It is anticipated that the leases with the new operators will be of long-term nature and not year to year.

With regard to PGF Seeds, Incorporated. In the event that I am confirmed to the position of Board Member of the Commodity Credit Corporation, I will lease the facility to another local entity prior to my appointment. My only returns from my ownership

interest therein will be derived from such lease payments, which will be based upon the value of the facility, and will bear no relationship to the market for the agricultural crops stored in such facility. The UGSA will be transferred to the entity operating the facility as successor-in-interest, and then the UGSA presently held by PGF Seeds, Inc. will be terminated. I will disqualify myself from participating personally and substantially in any particular matter that will have a direct and predictable effect on PGF Seeds, Inc. Additionally, I will disqualify myself from participating in any particular matter in which the lessee of PGF Seeds, Inc. is, or represents, a party, unless I have received appropriate authorization to do so.

Dorr Swine LLC is a limited liability corporation organized under the laws of Iowa, which owns a feed-to-finish hog facility in Cherokee County, Iowa. I have a 48% interest in the facility with the balance being owned by family members. The facility is currently leased to and being operated by a neighbor under the terms of a lease based solely on the value of the facility and not the profitability of the hog operations conducted therein. The current lease continues until March 1, 2002, and under the terms of the lease the lessee has options to purchase the facility or continue operating it under and extended lease arrangement. With regard to Dorr Swine LLC, if confirmed, to the positions for which I have been nominated, I will disqualify myself from participating personally and substantially in any particular matter that will have a direct and predictable effect on Dorr Swine LLC.

Dorrs' North Pork LLC is a limited liability corporation which owns approximately 10 acres of land also located in Cherokee County, Iowa, in which I have a 21% ownership interest and the balance of which is owned by my mother, three brothers, and a cousin. It also is a feed-to-finish hog facility which has a capacity of approximately 4000 hogs, and which is currently operated by me and other members of my family. I currently serve as an officer, director, and General Manager, of the corporation. In the event I am confirmed in the positions for which I have been nominated, I will resign from all the above listed positions, and will engage in no active role in the management of the corporation during my service as an official of USDA. The active management of the corporation's activities will be undertaken by one of my brothers who is presently engaged in carrying out the corporations business activities under the terms of a written agreement. During my service as an official of USDA, my only income from my ownership interest in Dorrs' North Pork will be a receipt of my proportionate share of the corporation's profits. I will disqualify myself from participating personally and substantially in any particular matter that will have a direct and predictable effect on Dorrs' North Pork LLC.

Dorr, Inc., is another family corporation in which I have an ownership interest, and am an officer and director. Dorr, Inc., owns approximately 280 acres of land as well as cash and

United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

May 3, 2001

The Honorable Richard G. Lugar
Chairman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, DC 20510-6000

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Thomas C. Dorr, who has been nominated by President Bush for the position of Under Secretary for Rural Development, Department of Agriculture.

We have reviewed the report and have also obtained advice from the Department of Agriculture concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is a letter dated April 30, 2001, from Mr. Dorr to the Department's ethics official, outlining the steps which he will take to avoid conflicts of interest. Unless a specific date has been agreed to, the nominee must fully comply within three months of his confirmation date with the actions he agreed to take in his ethics agreement.

Based thereon, we believe that Mr. Dorr is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

Marilyn L. Glynn
General Counsel

Enclosures

securities, and I enjoy approximately a 10% ownership interest in the corporation. If confirmed I will resign as an officer and director. As Dorr, Inc., carries out no farming or other business operations, and receives no farm-related income but for cash rentals received in return for the lease of its land for farming operations as described above, my continued ownership interest, and my receipt of my share of the rental income received, will result in no conflict of interest with the duties I will perform if confirmed to serve in the positions for which I have been nominated. To assure that no conflict of interest will exist, in the event I am confirmed, I will, disqualify myself from participating personally and substantially in any particular matter that will have a direct and predictable effect on Dorr, Inc. Additionally, I will disqualify myself from participating on any particular matter in which the lessees of the land owned by Dorr, Inc. is, or represents, a party.

As demonstrated by my Form SF 278, Public Financial Disclosure Report, I serve as a trustee of, and enjoy future beneficial interests in the assets of, several family trusts. Those include three trusts - the MGDIF Trust, the MGDR Trust, and the MLDQTP Trust - each of which has been identified above, as well as the Melvin G. Dorr Irrevocable Trust. However, but for (1) the described ownership interests which some of these trusts hold in the business entities discussed above; and (2) their ownership interests in certain of the agricultural lands leased for farming purposes, the trusts themselves conduct no business activities which could give rise to any conflict of interest with the duties I will perform as an official of USDA. In order to avoid a potential conflict with respect to my financial interests in these trusts, upon confirmation I will resign from all of my positions as a trustee of, and will abstain from all management responsibilities for, the identified trusts. Additionally, I will disqualify myself from participating personally and substantially in any particular matter that will have a direct and predictable effect on the Dorr Family Trusts.

By virtue of the outstanding loans I have with certain lending institutions, if confirmed I will have covered relationships with Farmers State Bank, Marcus, Iowa; Cherokee State Bank, Cherokee, Iowa; Northwestern State Bank, Orange City, Iowa; and PHI Financial Services, Johnston, Iowa. In the event I am confirmed to serve as an official of USDA, I will therefore, disqualify myself from participating in any particular matters in which these lending institutions are, or represent, parties until such time as my debts to them have been extinguished, unless I receive a written waiver pursuant to section 2635.502(d).

Mr. John C. Surina
Director
Office of Ethics
U.S. Department of Agriculture
Washington, D.C. 20250

Dear Mr. Surina:

The purpose of this letter is to describe the steps that I intend to take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Under Secretary of Agriculture for Rural Development and, as is traditional, also as a board member of the Commodity Credit Corporation (CCC). The position of Under Secretary of Agriculture for Rural Development plays no role in the supervision or implementation of Federal farm programs; however, in the event I am confirmed to serve as well as a member of the Board of Directors of the CCC, I will share responsibility for oversight and implementation of such programs. The steps detailed below take into account any potential conflicts or appearance thereof associated with both of these positions.

Overall, I understand that, as required by 18 U.S.C. § 208(a), I may not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to 208(b)(2). I further understand that the interests of the following persons are imputed to me: my spouse, minor children, or any general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

1. Matters Pertinent to the Position of Under Secretary of Agriculture for Rural Development

I have modest equity interests in a number of publicly traded entities, each of which could conceivably be a party to, or be directly and substantially affected by, a particular matter which could arise within USDA and within the purview of the Under Secretary of Agriculture for Rural Development. For the reasons noted with respect to each, those entities are (1) Enron Corporation Oregon (a distributor of electric power in rural areas in the Pacific Northwest; (2) McLeod USA (a provider of telephone and Internet services in some rural areas of the Midwest and Rocky Mountain regions); (3) Global Crossing (a provider of long distance telephone and Internet services in some rural areas throughout North America); (4) Citigroup Inc. (a banking institution some of whose branches participate in USDA guaranteed loan programs); and (5) Farmers Co-op Society, Sioux Center, Iowa (an entity which could apply to participate in programs and activities conducted by USDA's Rural Business-Cooperative Service). In the event I am

confirmed, I will, under 18 U.S.C.§ 208(a), disqualify myself from participating personally and substantially in any particular matters which may arise within USDA during my service that would have a direct and predictable effect on these named entities.

2. Matters Pertinent to the Position of Board Member of the Commodity Credit Corporation

I am a farmer and businessman with farming and business interests located in Cherokee County, Iowa. Specifically, I have ownership and operating interests in entities known as (1) Dorr's Pine Grove Farm Co.; (2) PGF Seeds, Inc.; (3) Dorr Swine LLC; and (4) Dorrs' North Pork LLC. If confirmed, I will resign from all positions I presently hold as an officer and director of all of these entities. The following paragraphs further detail my interests in the named entities, and the steps that I will take in order to avoid any conflict of interest or appearance thereof in regards to each:

- **Dorr's Pine Grove Farm Co.**

Dorr's Pine Grove Farm Company (DPGFC) is a farm operating company which I own in its entirety, and which is established under the laws of Iowa and qualified under chapter 1, subchapter C, of the Internal Revenue Code. DPGFC currently conducts farming operations on approximately 2,200 acres of leased farmland situated in Cherokee County, and performs custom farming operations on an additional 800 acres owned by my cousin. The principal crops grown on these lands are corn and soybeans. Among the 2,200 acres of leased land are lands owned by several family trusts established by my late father, Melvin G. Dorr, lands owned by other family members, and approximately 250 acres which I own separately.

In order to avoid a conflict of interest, I will liquidate DPGFC's machinery and equipment, resign as an officer and director of DPGFC, and – for the duration of my service as an official of the Department of Agriculture (USDA) – terminate completely the company's farming activities. The leases on the family lands currently being farmed by DPGFC will be terminated after the current crop year, and those lands will be leased to other operating entities in which I will have no ownership interest. Under 5 C.F.R. §2635.502, I will disqualify myself from participating in any particular matter in which the lessee of DPGFC is, or represents, a party, unless I have received an authorization pursuant to §2635.502(d).

My only future returns will thus consist of the proceeds which I derive from liquidation of DPGFC's machinery and equipment, the cash rents I will receive from the new operating entities, and the dividend or interest income which may accrue from the invested cash. The rents which I will receive, and those to be received by the family trusts and other family members whose lands will likewise be farmed by the new entity, will be derived under long-term rental agreements and will be based upon rental rates for comparable farm land in Cherokee County, Iowa. Subsequent to my appointment as Under Secretary of Agriculture for Rural Development, neither I nor my spouse or minor

children will have any ownership interest or management role in, or be actively engaged in, the farming operations conducted on such lands, including the negotiation of the aforementioned rental agreements. Further, the returns that other family members and I will receive, will be based solely upon the value of the rented lands, and will bear no relationship to the profitability of the farming operations conducted on such lands. I will disqualify myself from participating personally and substantially in any particular matter that will have a direct and predictable effect on the Dorr's Pine Grove Farm Co. As a result, no conflict of interest will exist between my continued ownership interest in the lands I own, or the ownership interests of the described family trusts and other family members, and the duties I will perform if confirmed.

I will be unable, however, to put such mechanisms in place for the 2001 crop year. The reason is that, as the sole owner and one of the principals of DPGFC, I have already (1) entered into lease arrangements for all described lands for the 2001 crop year; (2) purchased all inputs for the farming operations to be conducted during 2001, including seed, fertilizer, and herbicides; (3) established a marketing plan; and (4) with the corporation and the Melvin G. Dorr Irrevocable Family Trust (MGDIF Trust), received payments for the 2001 crop year under the Agricultural Market Transition Act (AMTA) for corn and soybeans. It would be impossible, at this stage of the crop year, to withdraw from all of these arrangements and put in place for 2001 the steps I have described above. Therefore, for the 2001 crop year, I will disqualify myself from participation in any and all activities of the CCC involving or affecting corn and soybean programs in the State of Iowa.

Notwithstanding all of the steps described above, there is one unique situation that must be separately addressed. There are certain family-owned lands – consisting of approximately 350 acres – that, under the Internal Revenue Code, are required to be farmed by family members. Upon the death of my father in 1998, and in connection with the probate of his estate, a Qualified Family-Owned Business Exclusion was utilized with respect to this property. As a result, title to these lands is held jointly by the Melvin G. Dorr Residual Trust (MGDR Trust), and the Margaret L. Dorr Qualified Terminable Interest Property Marital Deduction Trust (MLDQTP Trust). As a condition to use of the described exclusion, the two named trusts and the "family business" on which the exclusion is based must maintain a material interest in the operation, and the farming activities on these lands must continue to be operated by family members for the balance of the 10-year period that commenced in 1999. As discussed below (see Dorr Family Trusts on page 5), I will resign as a trustee and my brother and mother will serve as the Managing Trustees of these family trusts. The acreage in question will be custom farmed by an operating entity, and the trusts will receive income from the crops produced thereon. Additionally, I will disqualify myself from participating personally and substantially in any particular matter that will have a direct and predictable effect on the aforementioned trusts (see also like treatment of other family trusts on page 5).

- **PGF Seeds, Inc.**

PGF Seeds, Inc., is a State-licensed grain dealer and warehouse facility also

situated in Cherokee County, Iowa, which I own in its entirety. The facility has a capacity for storage of 500,000 - 600,000 bushels of grain, and has a USDA-issued Uniform Grain Storage Agreement (UGSA). In the event that I am confirmed to serve in the positions identified above, I will lease the facility to another local entity prior to my appointment. My only returns from my ownership interest therein will be derived from such lease payments, will be based upon the value of the facility, and will bear no relationship to the market for the agricultural crops stored in such facility. The UGSA will either be transferred to the entity operating the facility as successor-in-interest or, if the lessee of the facility has its own UGSA previously issued, then the UGSA presently held by PGF Seeds, Inc., will be terminated. I will, as required by 18 U.S.C. §208 (a), disqualify myself from participating personally and substantially in any particular matter that will have a direct and predictable effect on PGF Seeds, Inc. Additionally, under 5 C.F.R. §2635.502 I will disqualify myself from participating in any particular matter in which the lessee of PGF Seeds, Inc. is, or represents, a party, unless I have received an authorization pursuant to §2635.502(d). Therefore, no conflict of interest will exist because of either my continued ownership interest in the facility or my continued interest in a grain storage agreement entered into with USDA.

- **Dorr Swine LLC**

Dorr Swine LLC is a limited liability corporation organized under the laws of Iowa, which owns a feed-to-finish hog facility on approximately 15 acres of land in Cherokee County, Iowa. I have a 48% ownership interest in the corporation, and the remaining ownership interests are held by two of my brothers and by two family trusts, the MGDR Trust and the MLDQTP Trust. The corporation's facility, which has a capacity of approximately 4,000 hogs, is currently leased to and being operated by a neighbor under the terms of a lease based solely on the value of the facility and not the profitability of the hog operations conducted therein. The current lease continues until March 1, 2002, and under the terms of the lease the lessee has options to purchase the facility or to continue operating it under an extended lease arrangement. In the event I am confirmed to serve in the positions for which I have been nominated, my only income – and that of my brothers and the two identified family trusts – will be in the form of lease payments reflecting our ownership interests in the assets of the corporation. Upon confirmation, pursuant to 18 U.S.C. § 208(a), I will disqualify myself from participating personally and substantially in any particular matter that will have a direct and predictable effect on Dorr Swine LLC. Additionally, under 5 C.F.R. §2635.502 I will disqualify myself from participating in any particular matter in which the lessee of Dorr Swine, LLC is, or represents, a party, unless I have received an authorization pursuant to §2635.502(d). As a result, my continued ownership interest in Dorr Swine LLC, and the continued receipt of my share of the described lease payments, will give rise to no conflict of interest or appearance thereof with the duties I will perform in those USDA positions.

- **Dorrs' North Pork LLC**

Dorrs' North Pork LLC is a limited liability corporation situated on

approximately 10 acres of land also located in Cherokee County, in which I have a 21% ownership interest and the balance of which is owned by my mother, three of my brothers, and a cousin. Dorrs' North Pork is also a feed-to-finish hog facility which like Dorr Swine LLC has a capacity of approximately 4,000 hogs, and which is currently operated by me and by other members of my family. I currently serve as an officer and director, and as General Manager, of the corporation. In the event I am confirmed to serve in the positions for which I have been nominated, I will resign as an officer, director, and General Manager of the corporation, and I will engage in no active role in the management of the corporation during my service as an official of USDA. The active management of the corporation's activities will be undertaken by one of my brothers who is already engaged in carrying out the corporation's business activities under the terms of a written agreement. During my service as an official of USDA, my only income from my ownership interest in Dorrs' North Pork will be a receipt of my proportionate share of the corporation's profits. I will, under 18 U.S.C. § 208(a), disqualify myself from participating personally and substantially in any particular matter that will have a direct and predictable effect on Dorrs' North Pork LLC. I believe these steps will assure that no conflict of interest or appearance thereof will exist during my service at USDA between my continued ownership interest in Dorrs' North Pork and the duties I will perform as an official of USDA.

- **Dorr, Inc.**

Dorr, Inc., is another family corporation not identified above, in which I have an ownership interest. Dorr, Inc., owns approximately 280 acres of land as well as cash and securities, and I enjoy approximately a 10% ownership interest in the corporation. As Dorr, Inc., carries out no farming or other business operations, and receives no farm-related income but for cash rentals received in return for the lease of its land for farming operations as described above, my continued ownership interest, and my receipt of my share of the rental income received, will result in no conflict of interest with the duties I will perform if confirmed to serve in the positions for which I have been nominated. To assure that no conflict of interest will exist, in the event I am confirmed, I will, as required by 18 U.S.C. § 208(a), disqualify myself from participating personally and substantially in any particular matter that will have a direct and predictable effect on Dorr, Inc. Additionally, under 5 C.F.R. §2635.502, I will disqualify myself from participating on any particular matter in which the lessees of the land owned by Dorr, Inc. is, or represents, a party, unless I have received an authorization pursuant to §2635.502(d).

3. Matters Pertinent to Assuming the role of either the Under Secretary of Agriculture for Rural Development, or that of a Board Member of the Commodity Credit Corporation

- **Dorr Family Trusts**

As demonstrated by my Form SF 278, Public Financial Disclosure Report, I serve as a trustee of, and enjoy future beneficial interests in the assets of, several family trusts.

Those include three trusts – the MGDIF Trust, the MGDR Trust, and the MLDQTP Trust – each of which has been identified above (see Dorr's Pine Grove Farm Co.), as well as the Melvin G. Dorr Irrevocable Trust. However, but for (1) the described ownership interests which some of these trusts hold in the business entities discussed above; and (2) their ownership interests in certain of the agricultural lands leased for farming purposes, the trusts themselves conduct no business activities which could give rise to any conflict of interest with the duties I will perform as an official of USDA. In order to avoid a potential conflict under 18 U.S.C. § 208(a) with respect to my financial interests in these trusts, upon confirmation I will resign from all of my positions as a trustee of, and will abstain from all management responsibilities for, the identified trusts. Additionally, I will disqualify myself from participating personally and substantially in any particular matter that will have a direct and predictable effect on the Dorr Family Trusts.

- **Outstanding Loans**

By virtue of the outstanding loans I have with certain lending institutions, if confirmed I will have covered relationships with Farmers State Bank, Marcus, Iowa; Cherokee State Bank, Cherokee, Iowa; Northwestern State Bank, Orange City, Iowa; and PHI Financial Services, Johnston, Iowa. In the event I am confirmed to serve as an official of USDA, I will therefore, under 5 C.F.R. § 2635.502, disqualify myself from participating in any particular matters in which these lending institutions are, or represent, parties until such time as my debts to them have been extinguished, unless I receive an authorization pursuant to section 2635.502(d).

I believe that the steps I have agreed to take, as outlined above, will assure that no conflict of interest or appearance thereof will exist between my personal financial interests on the one hand, and the duties I will perform as Under Secretary of Agriculture for Rural Development and as a member of the Board of Directors of the CCC on the other.

Sincerely,

4-30-2001

Thomas C. Dorr

SF 278 (Rev. 03/2000)
5 C.F.R. Part 2634
U.S. Office of Government Ethics

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Form Approved:
OMB No. 3209 - 0001

Date of Appointment, Candidacy, Election, or Nomination *(Month, Day, Year)*	Reporting Status (Check Appropriate Boxes)	Incumbent	Calendar Year Covered by Report	New Entrant, Nominee, or Candidate	Termination Filer	Termination Date *(If Applicable) (Month, Day, Year)*
		☐		☑	☐	

	Last Name	First Name and Middle Initial
Reporting Individual's Name	Dorr	Thomas C
Position for Which Filing	Title of Position	Department or Agency *(If Applicable)*
	Under Secretary for Rural Development	USDA
Location of Present Office (or forwarding address)	Address *(Number, Street, City, State, and ZIP Code)*	Telephone No. *(Include Area Code)*
	311 South Elm, Marcus, IA, 51035	712-376-4325
Position(s) Held with the Federal Government During the Preceding 12 Months *(If Not Same as Above)*	Title of Position(s) and Date(s) Held	
	None	
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination	Do You Intend to Create a Qualified Diversified Trust?
	Senate Agriculture Committee	☐ Yes ☑ No

Certification	Signature of Reporting Individual	Date *(Month, Day, Year)*
I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Thomas Dorr	4-30-2001
Other Review (If desired by agency)	Signature of Other Reviewer	Date *(Month, Day, Year)*
Agency Ethics Official's Opinion	Signature of Designated Agency Ethics Official/ Reviewing Official	Date *(Month, Day, Year)*
On the basis of information contained in this report, I conclude that the *Filer* is in compliance with applicable laws and regulations (subject to any comments in the box below).	John Jarvis	5/2/01
Office of Government Ethics Use Only	Signature	Date *(Month, Day, Year)*
5/2/01	Marilyn L. Glynn	5/3/01

Comments of Reviewing Officials *(If additional space is required, use the reverse side of this sheet)*

(Check box if filing extension granted & indicate number of days _____) ☐

(Check box if comments are continued on the reverse side) ☐

Fee for Late Filing

Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period, shall be subject to a $200 fee.

Reporting Periods

Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A -- The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of date of filing.

Schedule B -- Not applicable.

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)--Show any agreements or arrangements as of the date of filing.

Schedule D -- The reporting period is the preceding **two** calendar years and the current calendar year up to the date of filing.

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Reporting Individual's Name	SCHEDULE A	Page Number
Dorr, Thomas C.		2 / 27

Assets and Income BLOCK A For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding $1,000 at the close of the reporting period, or which generated more than $200 in income during the reporting period, together with such income. For yourself, also report the source and actual amount of earned income exceeding $200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than $1,000 (except report the actual amount of any honoraria over $200 of your spouse). None ☐	Valuation of Assets at close of reporting period. BLOCK B None (or less than $1,001) / $1,001 - $15,000 / $15,001 - $50,000 / $50,001 - $100,000 / $100,001 - $250,000 / $250,001 - $500,000 / $500,001 - $1,000,000 / Over $1,000,000 * / $1,000,001 - $5,000,000 / $5,000,001 - $25,000,000 / $25,000,001 - $50,000,000 / Over $50,000,000		Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. BLOCK C Type: Dividends / Rent and Royalties / Interest / Capital Gains Amount: None (or less than $201) / $201 - $1,000 / $1,001 - $2,500 / $2,501 - $5,000 / $5,001 - $15,000 / $15,001 - $50,000 / $50,001 - $100,000 / $100,001 - $1,000,000 / Over $1,000,000 * / $1,000,001 - $5,000,000 / Over $5,000,000 Other Income (Specify Type & Actual Amount) / Date (Mo., Day, Yr.) Only if Honoraria	Excepted Investment Fund / Excepted Trust / Qualified Trust
Examples: Central Airlines Common			X		
Doe Jones & Smith, Hometown, State				Law Partnership Income $150,000	
Kempstone Equity Fund			X		
IRA: Heartland 500 Index Fund				X	
1 Roth IRA: Adams Express Co.		✓		✓	✓
2 Roth IRA: Bristol Myers Squibb Co.			✓	✓	
3 Roth IRA: Cisco Systems, Inc.		✓		✓	
4 Roth IRA: EMC Corp Mass	✓			✓	
5 Roth IRA: Enron Corp Oregon		✓		✓	
6 Roth IRA: Exxon Mobil Corp			✓	✓	

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

Prior Editions Cannot Be Used.

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Reporting Individual's Name	SCHEDULE A continued (Use only if needed)	Page Number
Dorr, Thomas C.		3 / 27

Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period. (BLOCK B)												Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)													
													Type			Amount									Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000		
7 Roth IRA: Honeywell International, Inc.		✓																	✓											
8 Roth IRA: Johnson & Johnson			✓													✓					✓									
9 Roth IRA: LSI Logic Corp		✓																	✓											
10 Roth IRA: Lucent Technology	✓																		✓				✓							
11 Roth IRA: McLeod USA Class A		✓																	✓				✓							
12 Roth IRA: Merck & Co.		✓														✓					✓									
13 Roth IRA: Merrill Lynch & Co.		✓																	✓											
14 Roth IRA: Metromedia Fiber Network	✓																		✓			✓								
15 Roth IRA: Microsoft Corp			✓																✓											

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Reporting Individual's Name	SCHEDULE A continued (Use only if needed)	Page Number
Derr, Thomas C.		4 / 27

Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period. (BLOCK B)													Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)																
														Type				Amount												
	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
16 Roth IRA: Prime Cash Series Money Market Securities Corporation of Iowa, Cedar Rapids, IA		✓											✓								✓										
17 Roth IRA: Motorola, Inc.		✓																	✓												
18 Roth IRA: Sun Microsystems		✓																	✓												
19 Simple IRA: Cisco Systems, Inc. DPGFCo sponsored Sec 408(p) retirement plan		✓																✓					✓								
20 Simple IRA: Emerson Electric DPGFCo sponsored Sec 408(p) retirement plan		✓																	✓												
21 Simple IRA: Global Crossing, Ltd. DPGFCo sponsored Sec 408(p) retirement plan		✓																	✓												
22 Simple IRA: McLeod Inc. DPGFCo sponsored Sec 408(p) retirement plan	✓																	✓		✓												
23 Simple IRA: Prime Cash Series Money Market Securities Corp. of Iowa - Sec 408(p) plan	✓												✓								✓										
24 Simple IRA: Nextlink Communications DPGFCo sponsored Sec 408(p) retirement plan	✓																	✓					✓								

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Reporting Individual's Name	SCHEDULE A continued (Use only if needed)	Page Number
Dorr, Thomas C.		5 / 27

Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period. (BLOCK B)												Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)														
														Type				Amount										
	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Exempt Investment Fund	Exempt Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
25 (S) Roth IRA: Adams Express Co.			✓										✓								✓											
26 (S) Roth IRA: Microsoft Corporation			✓																	✓												
27 (S) Roth IRA: Bristol Myers Squibb			✓													✓					✓												
28 (S) Roth IRA: Cisco Systems		✓																	✓					✓									
29 (S) Roth IRA: Citigroup Inc.			✓													✓					✓												
30 (S) Roth IRA: Conexant Systems		✓																	✓														
31 (S) Roth IRA: EMC Corp Mass	✓																		✓						✓								
32 (S) Roth IRA: Exxon Mobil Corp			✓													✓					✓												
33 (S) Roth IRA: Fannie Mae	✓																		✓		✓												

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Reporting Individual's Name	SCHEDULE A continued (Use only if needed)	Page Number
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Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period. (BLOCK B)												Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)														
														Type				Amount										
	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Exempted Investment Fund	Exempted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
34 (S) Roth IRA: Honeywell International, Inc.		✓																	✓											
35 (S) Roth IRA: LSI Logic Corp		✓																	✓											
36 (S) Roth IRA: Lucent Technology	✓																	✓				✓								
37 (S) Roth IRA: McLeod Inc.		✓																	✓											
38 (S) Roth IRA: Merck & Co.			✓													✓					✓									
39 (S) Roth IRA: Prime Cash Series Money Market Securities Corp. of Iowa, Cedar Rapids, IA			✓										✓								✓									
40 (S) Roth IRA: Morgan Stanley Dean Witter		✓																	✓											
41 (S) Roth IRA: Qualcomm Inc.	✓																	✓				✓								
42 (S) Roth IRA: Sun Microsystems		✓																	✓											

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period. (BLOCK B)													Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)																
														Type				Amount												
	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
43 (S) Roth IRA: Texas Instruments		✓																	✓											
44 (S) Roth IRA: Xcelera.com Inc.	✓																	✓		✓											
45 (S) Tennessee Farmers Assurance Co.		✓														✓					✓										
46 M.G. Dorr IFT - Prime Cash Series Money Mkt Securities Corp. of Iowa, Cedar Rapids, IA				✓									✓									✓									
47 Melvin G. Dorr Irrevocable Family Trust Cisco Systems, Inc.		✓																	✓				✓								
48 Melvin G. Dorr Irrevocable Family Trust EMC Corp Mass		✓																	✓					✓							
49 Melvin G. Dorr Irrevocable Family Trust Enron Corp Oregon		✓																	✓												
50 Melvin G. Dorr Irrevocable Family Trust Exxon Mobil Corp			✓													✓					✓										
51 Melvin G. Dorr Irrevocable Family Trust Intel Corporation		✓														✓				✓											

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Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period. (BLOCK B)													Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)																		
														Type				Amount												Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000		
52 Melvin G. Dorr Irrevocable Family Trust Intel Corporation		✓																✓													
53 Melvin G. Dorr Irrevocable Family Trust Merck & Co.			✓													✓					✓										
54 Melvin G. Dorr Irrevocable Family Trust Nortel Networks Corp		✓														✓				✓											
55 Melvin G. Dorr Irrevocable Family Trust Nortel Networks Corp		✓																	✓			✓									
56 Dorr's Pine Grove Farm Co. Brenton Banks, Inc.	✓															✓				✓											
57 Dorr's Pine Grove Farm Co. Brenton Banks, Inc.	✓																		✓		✓										
58 Dorr's Pine Grove Farm Co. Bristol Myers Squibb	✓															✓				✓											
59 Dorr's Pine Grove Farm Co. Bristol Myers Squibb	✓																		✓				✓								
60 Dorr's Pine Grove Farm Co. Cisco Systems	✓																		✓					✓							

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| Assets and Income (BLOCK A) | Valuation of Assets at close of reporting period. (BLOCK B) | | | | | | | | | | | | | | | Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C) | | | | | | | | | | | | | | |

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Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period. (BLOCK B)												Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)																
													Type				Amount												
	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
70 Dorr's Pine Grove Farm Co. Sun Microsystems	✓																		✓												
71 Dorr's Pine Grove Farm Co. Texas Instruments		✓																		✓											
72 Sale of 4 acres in Cherokee County, Iowa	✓																		✓				✓								
73 Austin Properties, LLC - Sale of 50% interest in 40 acres in O'Brien County, Iowa	✓																		✓					✓							
74 Farmer's Co-op Society Sioux Center, Iowa		✓														✓						✓									
75 Diamond D Bar, Ltd, Marcus, Iowa Family farm corporation																														Consulting $2,000	
76 Executor - Melvin G. Dorr Estate																														Executor's Fee $10,000	
77																															
78 Hudson Institute, 5395 Emerson Way, Indianapolis, IN 46226																														Honoraria $500	12/06/00

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Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period. (BLOCK B)													Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)																		
														Type				Amount												Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000		
79 (J) 251 acres farmland, Cherokee County, IA					✓																										Grain Sales $117,606	
80 (J) 251 acres farmland, Cherokee County, IA																															CCC Farm Prog 24,255	
81 (J) 251 acres farmland, Cherokee County, IA																															Crop Insur Settle $5068	
82 Cattle				✓																											Sales $39,789	
83 Hog Confinement Building Cherokee County, IA		✓														✓								✓								
84 Whiskey Creek Machinery Co., Marcus, IA - Equipment Rental - 50% interest			✓																												LLC Income $2867	
85 Whiskey Creek Machinery Co. (cont.)																															Return on Equity $7133	
86 Dorr Swine, LLC, Marcus, IA Hog confinement - 44% interest					✓																										LLC Income $32,697	
87 Dorr Swine, LLC (cont.)																															Consulting $10,000	

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Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period. (BLOCK B)													Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)																
														Type				Amount													
	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
88 Dorr Swine, LLC (cont.)																															ROE income $21,620	
89 Austin Properties, LLC, Marcus, IA farmland - 50% interest	✓																														Liquidation $37,405	
90 Austin Properties, LLC (cont.)																															LLC income $14,195	
91 Dorr's Pine Grove Farm Co., Marcus, IA - custom farm operation with hedge acct - 100%						✓																									Salary $99,019	
92 Dorr's Pine Grove Farm Co. (cont.)																															Sec 409(p) match $3117	
93 (S) Northwestern College, Orange City, IA																															Adjunct Professor	
94 Dorr, Inc., Marcus, IA Family farm corporation - 9% interest				✓															✓													
95 Melvin G. Dorr Irrevocable Trust Adams Express Co.			✓										✓						✓													
96 Melvin G. Dorr Irrevocable Trust Bristol Myers Squibb			✓													✓					✓											

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	Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period. (BLOCK B)														Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)																
																Type				Amount													
		None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Exempt Investment Fund	Exempt Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
97	M. G. Dorr Irrev Trust - Prime Cash Series Money Market - Sec. Corp of Iowa				✓									✓									✓										
98	Melvin G. Dorr Irrevocable Trust Cisco System, Inc.		✓																	✓						✓							
99	Melvin G. Dorr Irrevocable Trust Citigroup, Inc.			✓													✓				✓												
100	Melvin G. Dorr Irrevocable Trust EMC Corp Mass			✓																✓						✓							
101	Melvin G. Dorr Irrevocable Trust Emerson Electric			✓													✓				✓												
102	Melvin G. Dorr Irrevocable Trust Exxon Mobil Corp.			✓													✓				✓												
103	Melvin G. Dorr Irrevocable Trust Fannie Mae	✓																		✓	✓													
104	Melvin G. Dorr Irrevocable Trust Freddie Mac	✓																		✓	✓													
105	Melvin G. Dorr Irrevocable Trust General Electric Co.			✓													✓				✓												

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Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period. (BLOCK B)													Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)																		
														Type				Amount														
	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
106 Melvin G. Dorr Irrevocable Trust Lucent Technologies, Inc.	✓																	✓						✓							
107 Melvin G. Dorr Irrevocable Trust Merck & Co.				✓												✓					✓										
108 Melvin G. Dorr Irrevocable Trust Merrill Lynch & Co.			✓																✓												
109 Melvin G. Dorr Irrevocable Trust Microsoft Corp.			✓																✓												
110 Melvin G. Dorr Irrevocable Trust Metromedia Fiber Network	✓																	✓			✓										
111 Melvin G. Dorr Irrevocable Trust Morgan Stanley Dean Witter			✓													✓					✓										
112 Melvin G. Dorr Irrevocable Trust Nortel Networks Corp Holdings		✓														✓				✓											
113 Melvin G. Dorr Irrevocable Trust Sun Microsystems		✓																	✓												
114 Melvin G. Dorr Irrevocable Trust Texaco, Inc.		✓														✓					✓										

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Assets and Income	Valuation of Assets at close of reporting period.															Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item.																	
BLOCK A	BLOCK B															BLOCK C																	
																Type				Amount														
	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
113 Melvin G. Dorr Irrevocable Trust Wylie Tx Indpt School Bond		✓																✓		✓													
116 Melvin G. Dorr Irrevocable Trust Abilene Indpt School D Bond		✓																		✓													
117 Margaret L. Dorr QTIP Trust Adams Express Co.				✓									✓										✓										
118																																	
119 Melvin G. Dorr Residual Trust Adams Express Co.				✓									✓											✓									
120																																	
121 Melvin G. Dorr Residual Trust Agilent Technology		✓																		✓													
122 Melvin G. Dorr Residual Trust Applera Corp Com Celera Gen		✓																		✓													
123 Melvin G. Dorr Residual Trust Exxon Mobil Corp			✓													✓				✓													

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Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period. (BLOCK B)												Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)															
														Type				Amount										
	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
124 Melvin G. Dorr Residual Trust General Electric				✓												✓					✓										
125 Melvin G. Dorr Residual Trust Global Crossing		✓																		✓											
126 Melvin G. Dorr Residual Trust Hewlett Packard			✓													✓				✓											
127 Melvin G. Dorr Residual Trust Illinois Tool Works				✓												✓				✓											
128 Melvin G. Dorr Residual Trust Johnson & Johnson				✓												✓				✓											
129 Melvin G. Dorr Residual Trust Lufkin Industries		✓														✓				✓											
130 Melvin G. Dorr Residual Trust Merck & Co.				✓												✓					✓										
131 Melvin G. Dorr Residual Trust Nokia Corp		✓																		✓											
132 Melvin G. Dorr Residual Trust Pfizer Inc.				✓												✓				✓											

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	Assets and Income (BLOCK A)	Valuation of Assets at close of reporting period. (BLOCK B)														Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. (BLOCK C)															
																Type				Amount													
		None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Dividends	Rent and Royalties	Interest	Capital Gains	None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
133	Melvin G. Dorr Residual Trust Terayon Communication Systems		✓																	✓												
134	PGF Seeds, Inc. - licensed grain warehouse & seed & fertilizer sales - 100% interest							✓												✓												
135	Dorrs' North Pork, LLC, Marcus, IA Hog confinement - 21% interest				✓																										LLC income $7,095	
136	Dorrs' North Pork, LLC (cont.)																														ROE income $1045	
137	Donlar Corporation			✓													✓				✓											
138	Melvin G. Dorr Irrevocable Family Trust																														Trustee fees $250	
139	Melvin G. Dorr Irrevocable Trust																														Trustee fees $250	
140																																
141																																

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Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

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Part I: Transactions

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss.

Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

None ☐

	Identification of Assets	Transaction Type (x)			Date (Mo., Day, Yr.)	Amount of Transaction (x)														
		Purchase	Sale	Exchange		$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
	Example: Central Airlines Common	X			2/1/99		X										
1																	
2																	
3																	
4																	
5																	

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than $260, and (2) travel-related cash reimbursements received from one source totaling more than $260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. **Exclude** anything given to you by the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth $104 or less. See instructions for other exclusions.

None ☐

	Source *(Name and Address)*	Brief Description	Value
	Examples: Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty)	$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	$300
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Prior Editions Cannot Be Used.

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Reporting Individual's Name	SCHEDULE C	Page Number
Dorr, Thomas C.		19 / 27

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☐

	Creditors *(Name and Address)*	Type of Liability	Date incurred	Interest Rate	Term if applicable	Category of Amount or Value (x): $10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			X		X						
	John Jones, 123 JSt., Washington, DC	Promissory note	1999	10%	on demand											
1	(Thomas C. Dorr) Farmers State Bank, P.O. Box 548, Marcus, IA 51035	Cattle loan - paid 7/00	1999	8.25%	7 mos		☑									
2	(Thomas C. Dorr) Farmers State Bank, Marcus, IA	Cattle loan	2000	9.25%	7 mos		☑									
3	(Thomas C. Dorr) Farmers State Bank, Marcus, IA	Operating Note	2000	9.25%	6 mos		☑									
4	(Thomas C. Dorr) Farmers State Bank, Marcus, IA	Operating Note - paid 11/00	1999	8.25%	6 mos				☑							
5	(Thomas C. Dorr) Cherokee State Bank, 212 W. Willow, Cherokee, IA	Mortgage on farmland	1997	7.75%	10 yr			☑								

* This category applies only if the underlying liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None ☐

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example	Pursuant to partnership agreement, will recieve lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	I have a SIMPLE (Savings Incentive Match Plan for Employees) IRA under sec. 408(p) sponsored by DPGF. If confirmed, I will retain that account, but DPGF will make no further contributions to it.	Dorr Pine Grove Farms Co.	10/78
2	Upon confirmation, I will resign my positions and accept no further compensation from the following businesses: PGF Seeds Inc.; Dorr's Pine Grove Farm Co.; Dorr Inc.; Dorr Swine, LLC; Dorr's North Fork, LLC; and Dorrar Corporation.	See Schedule D - Part I for the appointment dates	
3	Upon confirmation, I will resign my position as trustee and accept no compensation from the following Trusts: the MGDF Trust, the MGDI Trust; the MGRD Trust; and the MLDQT# Trust. (see full names of these trusts on Schedule D - Part I)	Family Members - See Schedule D part I for the dates on which the trusts were established	
4	Upon confirmation, I will resign my uncompensated position as a consultant to the Farmer's Cooperative Society.	Farmer's Cooperative Society	09/00
5	I have effected the final distribution, and concluded my service as executor on the the Melvin G. Dorr Estate.	The decedent and heirs to the Estate	12/98
6	Upon confirmation, I will resign as a consultant to, and accept no further compensation from, Diamond D. Barr, LTD.	Diamond D. Barr, LTD	01/98

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Reporting Individual's Name	SCHEDULE C	Page Number
Dorr, Thomas C.		20 / 27

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☐

	Creditors *(Name and Address)*	Type of Liability	Date incurred	Interest Rate	Term if applicable	Category of Amount or Value (x)											
						$10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.		—	X	—		—				—	
	John Jones, 123 1St., Washington, DC	Promissory note	1999	10%	on demand	X										
6	(Thomas C. Dorr) Dorr's Pine Grove Farm Co., 4466 F Ave, Marcus, IA	Mortgage on farmland	1996	6%	on demand	☑	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
7	(Thomas C. Dorr) Dorr's Pine Grove Farm Co.	Mortgage on farmland	1990	6%	on demand	☐	☑	☐	☐	☐	☐	☐	☐	☐	☐	☐
8	(Thomas C. Dorr) Dorr's Pine Grove Farm Co.	Various operating notes thru 2001	1995	6%	on demand	☐	☐	☐	☑	☐	☐	☐	☐	☐	☐	☐
9	(Thomas C. Dorr) Dorr's Pine Grove Farm Co.	Mortgage on farmland	1992	6%	on demand	☐	☐	☐	☑	☐	☐	☐	☐	☐	☐	☐
10	(Thomas C. Dorr) Dorr Inc.	Operating note	2000	9%	on demand	☐	☑	☐	☐	☐	☐	☐	☐	☐	☐	☐

* This category applies only if the underlying liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None ☐

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example	Pursuant to partnership agreement, will recieve lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
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Reporting Individual's Name	SCHEDULE C	Page Number
Dorr, Thomas C.		21 / 27

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☐

	Creditors *(Name and Address)*	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x)										
						$10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			X								
	John Jones, 123 ISt., Washington, DC	Promissory note	1999	10%	on demand					X						
11	(Thomas C. Dorr) PGF Seeds, Inc., 4466 F Avenue, Marcus, IA 51035	Mortgage on partnership	1995	5.5%	on demand		✓									
12	(Thomas C. Dorr) PGF Seeds, Inc.	Mortgage on farmland	1995	5%	on demand		✓									
13	(Thomas C. Dorr) PGF Seeds, Inc.	Mortgage on farmland	1997	6%	on demand			✓								
14	(Thomas C. Dorr) PGF Seeds, Inc.	Operating note	2000	9.25%	on demand			✓								
15	(Thomas C. Dorr) PGF Seeds, Inc.	Mortgage on farmland	1993	6%	on demand		✓									

* This category applies only if the underlying liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None ☐

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example	Pursuant to partnership agreement, will recieve lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
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Reporting Individual's Name	SCHEDULE C	Page Number
Dorr, Thomas C.		22 / 27

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☐

	Creditors *(Name and Address)*	Type of Liability	Date incurred	Interest Rate	Term if applicable	Category of Amount or Value (x): $10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			X								
	John Jones, 122 1St., Washington, DC	Promissory note	1999	10%	on demand					X						
16	(Dorr's Pine Grove Farm Co.) Farmers State Bank, P.O. Box 548, Marcus, IA 51035	Farm equipment note	2000	9.25%	6 mos		✓									
17	(Dorr's Pine Grove Farm Co.) Farmers State Bank, Marcus, IA	Farm equipment note	1998	8.45%	7 yrs				✓							
18	(Dorr's Pine Grove Farm Co.) Farmers State Bank, Marcus, IA	Various operating notes thru 2001	2000	9.25%	6 mos					✓						
19	(Dorr's Pine Grove Farm Co.) John Deere Credit, P.O. Box 77000, Detroit, MI 48277	Farm equipment note	1999	Prime - .5%	4 yrs			✓								
20	(Dorr's Pine Grove Farm Co.) Cherokee State Bank, 212 W. Willow, Cherokee, IA	Farm equipment note	1997	8%	5 yrs			✓								

* This category applies only if the underlying liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absences; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None ☐

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example	Pursuant to partnership agreement, will recieve lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
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Reporting Individual's Name	SCHEDULE C	Page Number
Dorr, Thomas C.		23 / 27

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☐

	Creditors *(Name and Address)*	Type of Liability	Date incurred	Interest Rate	Term if applicable	Category of Amount or Value (x)										
						$10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			X								
	John Jones, 123 JSt., Washington, DC	Promissory note	1999	10%	on demand					X						
21	(PGF Seeds, Inc.) Farmers State Bank, Marcus, IA	Various operating notes	2000	9.25%	6 mos	☐	☐	☐	☐	☑	☐	☐	☐	☐	☐	☐
22	(PGF Seeds, Inc.) Dorr Inc.	Operating note - paid 1/01	2000	9.25%	on demand	☐	☑	☐	☐	☐	☐	☐	☐	☐	☐	☐
23	(PGF Seeds, Inc.) Dorr Inc.	Operating note	2001	9.25%	on demand	☐	☑	☐	☐	☐	☐	☐	☐	☐	☐	☐
24	(Dorr Swine, LLC) Northwestern State Bank, Orange City, IA 51041	Mortgage on hog buildings	1993	7.125%	10 yrs	☐	☐	☑	☐	☐	☐	☐	☐	☐	☐	☐
25	(Dorrs' North Pork, LLC) Northwestern State Bank, Orange City, IA 51041	Mortgage on hog buildings	1995	7.75%	10 yrs	☐	☐	☐	☑	☐	☐	☐	☐	☐	☐	☐

* This category applies only if the underlying liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None ☐

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example	Pursuant to partnership agreement, will recieve lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
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Reporting Individual's Name	SCHEDULE C	Page Number
Dorr, Thomas C.		24 / 27

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None ☐

	Creditors *(Name and Address)*	Type of Liability	Date incurred	Interest Rate	Term if applicable	Category of Amount or Value (x)										
						$10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			X								
	John Jones, 123 JSt., Washington, DC	Promissory note	1999	10%	on demand											
26	(Dorr's Pine Grove Farm Co.) PHI Financial Services, P.O. Box 1050, Johnston, IA 50131	Seed corn note	2001	Prime + 1%	10 mos.		☑									
27																
28																
29																
30																

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Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None ☐

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example	Pursuant to partnership agreement, will recieve lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
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Reporting Individual's Name	SCHEDULE D	Page Number
Dorr, Thomas C.		25 / 27

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization *(Name and Address)*	Type of Organization	Position Held	From *(Mo., Yr.)*	To *(Mo., Yr.)*
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	Dorrier Corporation, 6502 South Archer Road, Bedford Park, IL 60501	Chemical firm	Consultant	11/94	12/99
2	PGF Seeds, Inc., 4466 F Avenue, Marcus, IA 51035	Licensed grain warehouse facility	President	03/80	Present
3	Dorr's Pine Grove Farm Co., 4466 F Avenue, Marcus, IA 51035	Custom farm production	President	10/78	Present
4	Dorr, Inc., 4466 F Avenue, Marcus, IA 51035	Family farm corporation	Director	08/92	Present
5	Dorr Swine, LLC, 4466 F Avenue, Marcus, IA 51035	Hog confinement operation	General Manager	07/93	Present
6	Dorrs' North Pork, LLC, 4466 F Avenue, Marcus, IA 51035	Hog confinement operation	General Manager	07/95	Present

Part II: Compensation in Excess of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate.

None ☐

	Source *(Name and Address)*	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (Client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	Dorr Swine, LLC, 4466 F Avenue, Marcus, IA 51035	Consulting services in connection with lease sale proposal
2	Dorr's Pine Grove Farm Co., 4466 F Avenue, Marcus, IA 51035	President/CEO
3	Dorr, Inc., 4466 F Avenue, Marcus, IA 51035	Consulting services in connection with oil & gas lease sale
4	Melvin G. Dorr Estate, 4466 F Avenue, Marcus, IA 51035	Executor
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Dorr, Thomas C.		26 / 27

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization *(Name and Address)*	Type of Organization	Position Held	From *(Mo., Yr.)*	To *(Mo., Yr.)*
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
7	Melvin G. Dorr Irrevocable Family Trust, 4466 F Avenue, Marcus, IA 51035	Trust	Trustee	12/76	Present
8	Melvin G. Dorr Irrevocable Trust, 4466 F Avenue, Marcus, IA 51035	Trust	Trustee	12/76	Present
9	Melvin G. Dorr Residual Trust, 4466 F Avenue, Marcus, IA 51035	Trust	Trustee	11/00	Present
10	Margaret L. Dorr Qualified Terminable Interest Property Marital Deduction Trust	Trust	Trustee	11/00	Present
11	Doniar Corporation, 6502 South Archer Road, Bedford Park, IL 60501	Chemical firm	Director	10/00	2/01
12	Diamond D Bar, Ltd, 559 440th Street, Marcus, IA 51035	Family farm corporation	Consultant	01/98	Present

Part II: Compensation in Excess of $5,000 Paid by One Source

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate.

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

None ☐

None	Source *(Name and Address)*	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (Client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
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Dorr, Thomas C.		27 / 27

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization *(Name and Address)*	Type of Organization	Position Held	From *(Mo., Yr.)*	To *(Mo., Yr.)*
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
13	Farmers Cooperative Society, 317 3rd Street N.W., Sioux Center, IA 51250	Cooperative elevator association	Consultant	09/00	09/00
14	Melvin C. Dorr Estate, 4466 F Avenue, Marcus, IA 51035	Estate	Executor	12/98	Present
15					
16					
17					
18					

Part II: Compensation in Excess of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate.

None ☐

None

	Source *(Name and Address)*	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (Client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
13		
14		
15		
16		
17		
18		

Prior Editions Cannot Be Used.

Memorandum

Date: 10/8/99

To: See Distribution List

From: Thomas C. Dorr

RE: Telephone and TeleCommunication Taxes

Attached to this memo-fax is an information insert I received with my recent long distance billing. The total tax for this statement is 14.85%. This is **outrageous**, especially when you consider that government has had minimal influence on the evolution of the telecommunications technology.

The monthly National Access Fee per business line of $4.31 in conjunction with the 4.5% "Federal Universal Access Fee" frequently exceeds the total monthly phone usage charges, which are necessary to have emergency phone lines at our individual farm and hog sites. Those taxes don't include the Federal and State excise and sales taxes.

These taxes are confiscatory. School and local government systems in Iowa alone have been subsidized so long without commensurate performance expectations that a large number have slipped into a slothful state far exceeding mediocrity. They probably don't receive 30% of these taxes, and they surely don't need them.

With these kinds of taxation and subsidy games, you collectively are responsible for turning Iowa into a state of peasants totally dependent on your largesse. This is unacceptable.

I am sure my ranting won't change your approach to maintaining a constituency dependent on government revenue. But should you decide to take a few side trips through the Iowa countryside, you'll see an inordinate number of homes surrounded by five to ten cars. The homes generally have a value of less than $10,000. This just confirms my "10 car $10,000 home theory". The more you try to help the more you hinder. The results are everywhere.

I strongly suggest you take time to read Thomas Friedman's new book "The Lexus and the Olive Tree", then ask yourselves what really makes sound governance policy. I don't think confiscatory tax initiatives count. It is a cinch we aren't getting wealth in Iowa.

Important Information on Service Fees

Recent regulatory and industry changes will affect two charges on your current invoice. The Federal Communications Commission recently approved larger universal service subsidies for schools and libraries.

Like other carriers, MCI WorldCom[SM] collects its contributions for the universal service fund by assessing a fee on customer invoices. In order to recover the cost of increased universal service contributions, beginning with this invoice, the monthly Federal Universal Service Fund charge (FUSF) is calculated at 4.5% of regulated interstate and international billing, reflecting an increase ~~of 0.4%~~.

Also effective with this invoice, the monthly National Access Fee (NAF) increased to $4.31 per Business Line, $0.48 per Business Centrex line, and $21.55 per ISDN PRI or Supertrunk line. The NAF results from monthly per-line charges imposed by many local service providers on long distance carriers for connections to local telephone networks.

As a valued customer, you will continue to be notified of any future changes that affect what you pay for service.

Thank you for using this MCI WorldCom program. We appreciate your business and the opportunity to serve you.

IADA

IADA Services, Inc.
1111 Office Park Rd.
West Des Moines, IA 50265-2506
(515) 226-1900

INVOICE

CUSTOMER ID	BATCH	TERMS	INVOICE DATE	INVOICE NUMBER
03075	03075	NET 30	9/30/99	PHIN1744

Bill To:

PGF Seeds, Inc.
4466 F. Ave.

Marcus IA 51035

Ship To:

PGF Seeds, Inc.
4466 F. Ave.

Marcus IA 51035

Call us at 1-800-869-1900 if you have cancelled or added telephone number(s).

ITEM NO	ITEM DESCRIPTION	ACCOUNT NO	AMOUNT
MCIOUT	Outbound Service		$231.59
FUSFEE	Federal Universal Service Fee 4.5%		$4.74
NATLACCFEE	National Access Fee – 4.31 per line		$12.93
		13.3908/Month	
	Outbound 3 lines		
	Franc 11.56		

RECEIVED OCT 04 1999

SUBTOTAL	FEDERAL TAX	STATE TAX	PAY THIS AMOUNT
$249.26	$7.48	$8.80	$265.54

After thirty (30) days a finance charge of 1.5% per month (18 % A.P.R.) will be charged on the unpaid balance of your IADA Services phone bill account.
WARNING: A $20 surcharge will be added to all dishonored checks.

IADA

REMITTANCE STUB

To insure proper credit of your account, please return this portion of the invoice with your payment.

INVOICE NUMBER	CUSTOMER ID	INVOICE DATE	TERMS	AMOUNT ENCLOSED
PHIN1744	03075	9/30/99	NET 30	$265.54

Remit To:

IADA Services, Inc.
1111 Office Park Rd.
West Des Moines, IA 50265-2506

Sold To:

PGF Seeds, Inc.
4466 F. Ave.

Marcus IA 51035

IADA

IADA Services, Inc.
1111 Office Park Rd.
West Des Moines, IA 50265-2506
(515) 226-1900

INVOICE

CUSTOMER ID	DIV CD	TERMS	INVOICE DATE	INVOICE NUMBER
04152	04152	NET 30	9/29/99	PHIN1026

Bill To:

Dorr North Park
4466 F Avenue

Marcus IA 51035

Ship To:

Dorr North Park
4466 F Avenue

Marcus IA 51035

Call us at 1-800-869-1900 if you have cancelled or added telephone number(s).

ITEM NO	ITEM DESCRIPTION	ACCOUNT NO	AMOUNT
MCIOUT	Outbound Service		$15.22
FUSFEE	Federal Universal Service Fee		$0.03
NATLACCFEE	National Access Fee		$4.31

Inv, IA1026
RECEIVED OCT 0 2 1999

SUBTOTAL	FEDERAL TAX	STATE TAX	PAY THIS AMOUNT
$19.56	$0.59	$1.12	$21.27

After thirty (30) days a finance charge of 1.5% per month (18 % A.P.R.) will be charged on the unpaid balance of your IADA Services phone bill account.
WARNING: A $20 surcharge will be added to all dishonored checks.

IADA

REMITTANCE STUB

To insure proper credit of your account, please return this portion of the invoice with your payment.

INVOICE NUMBER	CUSTOMER ID	INVOICE DATE	TERMS	AMOUNT ENCLOSED
PHIN1026	04152	9/29/99	NET 30	$21.27

Remit To:

IADA Services, Inc.
1111 Office Park Rd.
West Des Moines, IA 50265-2506

Sold To: Dorr North Park
4466 F Avenue

Marcus IA 51035

IADA

IADA Services, Inc.
1111 Office Park Rd.
West Des Moines, IA 50265-2506
(515) 226-1900

INVOICE

CUSTOMER ID	BATCH	TERMS	INVOICE DATE	INVOICE NUMBER
03618	03618	NET 30	9/30/99	PHIN1217

Bill To:

Dorr Swine, L.C.
4466 F Ave.

Marcus IA 51035

Ship To:

Dorr Swine, L.C.
4466 F Ave.

Marcus IA 51035

Call us at 1-800-869-1900 if you have cancelled or added telephone number(s).

ITEM NO.	ITEM DESCRIPTION	ACCOUNT NO.	AMOUNT
MCIOUT	Outbound Service		$2.77
NATLACCFEE	National Access Fee		$4.31

Jmw. IA 1217

RECEIVED OCT 0 2 1999

	SUBTOTAL	FEDERAL TAX	STATE TAX	PAY THIS AMOUNT
	$7.08	$0.21	$0.42	$7.71

After thirty (30) days a finance charge of 1.5% per month (18 % A.P.R.) will be charged on the unpaid balance of your IADA Services phone bill account.
WARNING: A $20 surcharge will be added to all dishonored checks.

IADA

REMITTANCE STUB

To insure proper credit of your account, please return this portion of the invoice with your payment.

INVOICE NUMBER	CUSTOMER ID	INVOICE DATE	TERMS	AMOUNT ENCLOSED
PHIN1217	03618	9/30/99	NET 30	$7.71

Remit To:

IADA Services, Inc.
1111 Office Park Rd.
West Des Moines, IA 50265-2506

Sold To: Dorr Swine, L.C.
4466 F Ave.

Marcus IA 51035

USDA

DEC 17 2001

Department of Agriculture

Farm Service Agency

1400 Independence Ave, SW
Stop 0570
Washington, DC
20250-0570

Ms. Libby Host
Iowa Citizens for Community Involvement
2001 Forest Avenue
Des Moines, Iowa 50311

Dear Ms. Host:

This letter responds to your Freedom of Information Act ("FOIA") appeal dated September 14, 2001. Dennis Olson, Administrative Officer, Iowa Farm Service Agency ("FSA") State Office denied, in part, your initial request. In a telephone conversation on October 31, 2001, you narrowed your appeal to a copy of an audiotape that you believe contains statements made by Mr. Thomas Dorr. You allege that the audiotape contains admissions by Mr. Dorr of irregularities in his dealings with FSA several years ago. You contend that the audiotape may reveal information of public interest concerning past activities of Mr. Dorr, who is the President's nominee for the office of Under Secretary for Rural Development in the U.S. Department of Agriculture.

In 5 U.S.C. §552(a)(3), the FOIA mandates that "each agency, upon any request for records which (A) reasonably describes such records and (B) is made in accordance with published rules stating the time, place, fees (if any), and procedures to be followed, shall make the records promptly available to any person." Exempted from the mandatory disclosure rule of the FOIA are nine categories of agency records, including "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." 5 U.S.C. §552(b)(6) (hereinafter "Exemption Six"). All information that "applies to a particular individual" meets the threshhold requirement for Exemption Six protection. *United States Department of State v. Washington Post Co.*, 456 U.S. 595 (1982).

With respect to Exemption Six, established FOIA jurisprudence invokes a balancing test to determine whether the privacy interest in the requested information outweighs any public interest in disclosure of the record. *Rose v. Dept. of the Air Force*, 425 U.S. 352 (1976).

The first step in the Exemption Six balancing process requires an assessment of the privacy interests at issue. In its landmark decision in *United States Department of Justice v. Reporters Committee for Freedom of the Press*, 489 U.S. 749 (1989), the Supreme Court noted that "both the common law and the literal understandings of privacy encompass the individual's control of information concerning his or her person." The information you are seeking implicates the privacy interest of an individual, concerning personal financial arrangements, which normally should be accorded substantial privacy. We note that candidates for public office, incumbent officials, and, by analogy, nominees for public office do not give up all expectation of privacy in their personal affairs.

especially where the information in question might result in unwarranted adverse inferences. *See Fund for Constitutional Government v. National Archives and Records Serv.*, 656 F.2d 856, 865 (D.C. Cir. 1981).

Against this substantial privacy interest we must weigh the public interest in disclosure. In this connection, *Reporters Committee* instructs us to consider whether the information would be revelatory of the operations or activities of the Federal government. The provenance and authenticity of the audiotape you are seeking have not been established. Under these conditions, the weight that might otherwise be accorded to the public interest in release is considerably diminished. In addition, other publicly available information, including agency records already released, together with regulations and other information are available for the public to discern whether the agency has been discharging its duties properly.

This is the final FSA determination on your FOIA appeal. To the extent that your appeal is denied, you have the right to seek judicial review of this decision in an appropriate United States district court pursuant to 5 U.S.C. §552(a)(4)(B).

Sincerely,

James R. Little

James R. Little
Administrator

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

IOWA CITIZENS FOR COMMUNITY IMPROVEMENT
2001 FOREST AVENUE
DES MOINES, IOWA 50311

Plaintiff,

v.

UNITED STATES DEPARTMENT OF AGRICULTURE
1400 INDEPENDENCE AVENUE, SW
WASHINGTON, DC 20250-0501

Defendant.

3:02-CV-10114

Civil Action No.

SUMMONS

To the above named Defendants:

You are hereby summoned and required to serve upon James E. Brick, plaintiff's attorney, whose address is 550 39th Street, Suite 200, Des Moines, Iowa 50312, an answer to the complaint which is herewith served upon you, within thirty (30) days after service of this summons upon you, exclusive of the day of service. *See 5 USC 552(a)(4)(C).* If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

James R. Gorenflo FEB 28 2002

Clerk of Court of the U.S. District Court for the Southern District of Iowa, Central Division

Susan Kern

(This summons is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure)

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

2002 FEB 28 AM 1
CLERK U.S. DISTRICT CO
SOUTHERN DISTRICT OF I

IOWA CITIZENS FOR COMMUNITY IMPROVEMENT
2001 FOREST AVENUE
DES MOINES, IOWA 50311

Plaintiff,

v.

UNITED STATES DEPARTMENT OF AGRICULTURE
1400 INDEPENDENCE AVENUE, SW
WASHINGTON, DC 20250-0501

Defendant.

3:02-CV-10114
Civil Action No.

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

1. This is an action under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, as amended, to compel the defendant United States Department of Agriculture to produce one or more audio-tapes, and/or transcripts of tapes, and/or other records, that, upon information and belief, contain statements by Mr. Tom Dorr acknowledging that he had improperly sought and received improper federal farm subsidy payments. Mr. Dorr has been nominated by President Bush to serve as Undersecretary of the Department of Agriculture for Rural Development, and his confirmation is awaiting Senate action.

2. This Court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B).

3. Plaintiff Iowa Citizens for Community Improvement is a non-profit, Iowa-based, membership organization dedicated to empowering and uniting people of all ethnic backgrounds to address issues in their communities and be a vehicle for social, economic, and environmental

change. It requested the withheld records.

4. Defendant Department of Agriculture is an agency of the United States, and it has possession of and control over the records that plaintiff seeks.

5. By letter dated July 17, plaintiff filed a FOIA request with the Iowa State Farm Service Agency ("FSA"), a component of the defendant, seeking access to a range of records relating to Mr. Tom Dorr, of Marcus, Iowa and his corporation, Pine Grove Farms. Among the documents requested were "[a]n audio tape obtained by the state FSA/ASCS office dating between 1993 to present of Mr. Dorr admitting that he received funds he was not eligible for."

6. By letter dated August 29, 2001, defendant responded by informing plaintiff that the request would be granted in part. The August 29, 2001 letter made no mention of any audio tape or related records.

7. By letter dated August 29, 2001, plaintiff submitted an additional FOIA request to clarify, and, if need be, to supplement its initial request of July 17, 2001. Specifically, the August 29 letter stated that "[w]e were told *** about a payment scheme that Thomas Dorr of Marcus, Iowa was involved in within the past 5-7 years. He allegedly applied for and received payments he knew he was not eligible for. We were also told that Dorr admitted to this on tape and was forced to pay back money to the FSA." The letter concluded "[w]e are asking you to send us any documents, audio tapes or other information pertaining to this particular incident *** immediately."

8. By letter dated September 7, 2001, defendant denied plaintiff's request for the audio tapes or related records on the basis of Exemption 6 of FOIA, 5 U.S.C. § 552(b)(6), FOIA's "personal privacy" exemption.

9. By letter dated September 13, 2001, plaintiff appealed defendant's denial, pointing out

that Mr. Dorr was a nominee for a Senate-confirmation position to the United States Department of Agriculture, and that the public interest in whether Mr. Dorr in fact applied for and received federal subsidy money for which he was ineligible outweighed any privacy interest on Mr. Dorr's part.

10. By letters dated October 31, 2001, and November 21, 2001, plaintiff supplemented their appeal and urged that the defendant expedite the processing of the appeal.

11. By letter dated December 17, 2001, defendant denied plaintiff's appeal, again invoking Exemption 6.

12. Plaintiff has a statutory right to the records that it seeks, and there is no legal basis for defendant's refusal to disclose them to plaintiff.

WHEREFORE plaintiff respectfully urges the Court to enter an Order:

1) Declaring that defendant's refusal to disclose the records requested by plaintiff is unlawful;

2) Directing the defendant to make the requested records available to plaintiff forthwith;

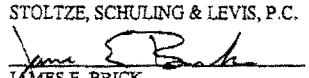
3) Award plaintiff its costs and reasonable attorneys' fees in this action; and

4) Grant such other and further relief as the Court may deem just and proper.

Original Filed.

RESPECTFULLY SUBMITTED BY:

BRICK, GENTRY, BOWERS, SWARTZ, STOLTZE, SCHULING & LEVIS, P.C.



JAMES E. BRICK
AT0000510
550 39th Street, Suite 200
Des Moines, Iowa 50312
Telephone: 515.274.1450
Facsimile: 515.274.1488
ATTORNEY FOR PLAINTIFF

Copies to:

David C. Vladeck
Public Citizen Litigation Group
1600 20th Street, NW
Washington, DC 20009
Telephone: (202) 588-1000
Of Counsel

LAW OFFICES
WASKER, DORR, WIMMER & MARCOUILLER, P.C.
801 GRAND AVENUE - SUITE 3100
DES MOINES, IOWA 50309-8036
(515) 283-1801
FAX (515) 283-1802

CHARLES F. WASKER
FRED L. DORR
WILLIAM J. WIMMER
D. MARK MARCOUILLER
ROBERT A. SIMS
MATTHEW D. KERN

OF COUNSEL
RUSSELL H. LAIRD

February 11, 1997

Mr. Michael W. Houston
County Executive Director
United States Department of Agriculture
Farm Service Agency
Box 455
Cherokee IA 51012-0455

Re: Melvin G. Dorr Irrevocable Family Trust

Dear Mr. Houston:

This letter follows your correspondence to the above-indicated family trust dated January 8, 1997. The trustees in that trust, my brothers, Tom and Kurt and I, have now had an opportunity to review that letter. We do not agree with the recommendation of the End-of-Year Review Committee, nor with the decision of the Cherokee County Committee to accept that recommendation. It is regrettable that our offer to meet with the End-of-Year Review Committee was not accepted by it as we believe that a different result might have been reached if we had been given the opportunity to present all of the facts to that Committee. We realize that our County Committee had no control over that decision in this regard.

In any event, a determination has now been reached. The trustees have spoken with counsel for the Trust regarding the alternatives. While we could appeal, the economic reality is that it will cost more for the Trust to appeal than it will to repay the amounts received in the years in issue and put these matters to rest. As fiduciaries, it is difficult to recommend to the six sons and one daughter of Melvin Dorr (our father, whom the trust is named after) that we appeal the determination and spend trust money and trustee time when it is not economically in their best interest, even if the determination was reversed following an appeal.

This letter is being sent to acknowledge that while the trustees do not agree with the determination outlined in the January 8, 1997 letter and specifically deny liability in connection therewith, that no appeal will be taken and that the amount in issue will be repaid so that the matter can be put to rest.

WASKER, DORR, WIMMER & MARCOUILLER, P.C.
February 11, 1997

Please let us know what further needs to be done to finalize this matter.

Very truly yours,

MELVIN G. DORR IRREVOCABLE FAMILY TRUST

By: _____
Fred L. Dorr, Trustee

FLD:jks
cc: Tom Dorr, Trustee
Kurt Dorr, Trustee
Jon Dorr, Beneficiary
Ann Dorr Hanrahan, Beneficiary
Karl Dorr, Beneficiary
Philip Dorr, Beneficiary
Melvin & Margaret Dorr, Trustor and Spouse
Bill Bridgforth, Trust Counsel

RAMSAY, BRIDGFORTH, HARRELSON AND STARLING
ATTORNEYS AT LAW
(FOUNDED AS COLEMAN & GANTT IN 1911)

W. F. COLEMAN 1870-1956
M. J. GANTT, JR. 1879-1975
M. J. STARLING, JR. 1941-1990
WILLIAM C. BRIDGFORTH
F. DANIEL HARRELSON, P.A.
SPENCER F. ROBINSON
PHILLIP A. RALEY
† PATRICK A. BURROW
† ALSO ADMITTED IN TENNESSEE

11TH FLOOR SIMMONS FIRST NATIONAL BUILDING
501 MAIN STREET
P. O. BOX 8509
PINE BLUFF, ARKANSAS 71611-8509

TELEPHONE 501-535-9000
FAX 501-535-8544

ROSALIND H. MOUSER
WILLIAM M. BRIDGFORTH
DAVID R. BRIDGFORTH
WM. JAY HARRELSON
JOHN T. STARLING

LOUIS L. RAMSAY
SENIOR COUNSEL

January 29, 1997

M. G. Dorr Irrevocable Family Trust
% Fred Dorr, Trustee
% Thomas Dorr, Trustee
% Kurt Dorr, Trustee
801 Grand Avenue, Suite 3100
Des Moines, Iowa 50309-8036

Re: Farm Service Agency Determination

Dear Trustees:

At your request I have reviewed the farming operation of the M. G. Dorr Irrevocable Family Trust (the "Trust") for 1993, 1994 and 1995 in the light of the January 8, 1997 letter sent to the Trust by the Farm Service Agency in Cherokee, IA. You had previously sent the records to me in May and June, 1996, at the time the review was under way for my thoughts at that time.

You will recall that I wrote the Arkansas State FSA at that time and inquired as to their feelings on a fact situation such as existed in your case. They were of the opinion that there were no payment limitation issues since the amount that was paid to the trust and to the operator did not exceed the total of $50,000 in any year.

While the Arkansas State FSA doesn't control the Iowa FSA, my experience has been that Arkansas has usually dealt with as many payment limitation issues as any State Office. What the January 8, 1997 letter addresses is "payment shares" and "commensurate contributions."

It is clear that there is no feeling on the part of the Farm Service Agency in Iowa that there was any wrongdoing, or any feeling that any of the parties were involved in a scheme or device to evade the payment limitation rules. Since there was no time that the operations in question would have ever exceeded the $50,000 limit which any one individual or entity could receive which was in effect for the years in question that no scheme to exceed that amount could have existed.

However, because of the expense that would be involved in an appeal of the January 8, 1997 determination, and since only $14,000 would have to be paid back under that determination, I feel that it makes economic sense to accept the determination, not appeal, and go on about the Trust's

business. I would change the rental arrangement in the future to avoid this happening again. The expenses involved in an appeal would likely exceed the $14,000 amount and even if we were successful, the time spent preparing for the appeal and other factors make it clear to me that the Trustees should repay the $14,000 and move on.

If there are questions, please give me a call.

Very truly yours,

RAMSAY, BRIDGFORTH, HARRELSON & STARLING

William C. Bridgforth

William C Bridgforth

Comments by Tom Dorr
Transcription of Iowa Tape

I've got just a couple of comments, and as one of the few farmers here, I think I'll take an opportunity—I listened to this comment earlier about the "wow" statements, that you wanted something to get to the New York Times. I caution you that that happened to once a couple of years ago when I suggested that the appropriate model of a corn soybean farm in Iowa would mesh around 225,000 acre operation in an interview that got the front page of the New York Times business section. It screamed around the world and got back to my hometown, and I am now presently the pariah of Marcus?, so what you wish is what you may get if you're not careful.

My observation though today, that what you're really all about, as precipitated by this gracious gift, is you're really trying to find your souls. Some of you have heard me say that before, and I say that in the context that I as a former member of the board of regents, and one who has always had an abiding interest in education, have felt that to some extent, some of the leadership, myself included, have failed the institutions starting back during the ag crisis of the '80s that particularly that precipitated all of this—in the sense that what actually diverted you from your primary responsibility of teaching and doing research and expected you to develop economic development opportunities that would quickly turn into more growth for the state. And I think that has been a rather misguided approach, not in every case, but I think that that was somewhat of a mistake. And as a result, I think you're really trying to grope with whether or not you are a group of physical scientists or social scientists. In agronomy, I guess I've always assumed that you were physical scientists, but I don't think that's necessarily the case. And I'm not sure—I'm not making judgmental—I'm not sure that's good or bad. You're obviously very very passionate about what you do and so am I. I'm very passionate about what I think we have to be doing in agriculture. My greatest fear in listening to this discussion for the last short day is that, as one of my peers on this panel suggested earlier, when I put it in the context if after 60 years of Triple A or Agriculture Adjustment Act Programs, our farm policy or farm policy governance has literally frozen us in our ability to be creative in our thought processes as it relates to production agriculture.

I caution you in the standpoint that the Iowa agriculture rural landscapes are at great risk. They are truly at great risk of becoming barren economic landscapes. And I say this, and I've mentioned this earlier at least in a couple of the groups, and I don't say this from the standpoint of sounding like sour grapes. That's not what it's intended to, but most of you in this institution through the various programs, whether you're a merit employee P and S or an active (?) admission, you're salaries and your retirement programs through TIA CREP will leave most of you much better off than most farmers that you think you're trying to advantage out here in the country at the time you complete 30 years of employment in the institution. And as a result, I think it has to be a paramount focus to a more income growth in the Iowa agriculture sector. Quality is fine—it's a laudable goal, but income growth has to be at the bottom of what you're about. And if it's not, then I think we'll be back here several more times trying to figure out what it is.

The other thing that's interesting to me, and I know this is not at all the correct environment to say this, but I think you ought to perhaps go out and look at what you perceive the three most successful rural economic environments in this state. And I'm not talking about those associated with metropolitan areas. But I would submit to you that they're probably the three most successful ones. If they're not the three, two of these are the three, and it would be Carroll County, Sioux County, and Lyon County. And you'll notice when you get to looking at them, that they're not particularly diverse, at least not ethnically diverse. They're very diverse in their economic growth, but they have been very focused have been very non-diverse in their ethnic background and their religious background, and there's something there obviously that has enabled them to succeed and to succeed very well.

I think we also need to recognize the fact that the change in the hog industry did not occur in a vacuum, and it didn't occur in North Carolina and the South by accident. It occurred because we did not create the opportunities, the investment opportunities and the environment in this state to make it happen. And I submit to you that it would have occurred and it would have occurred with a lot more of our producers being involved in these kinds of enterprises in a much more broad scope had we been more aggressive about determining what was going to make it happen. And I will caution you that this very thing is going to happen in crop production in land management. The tools are in place, you have economists on this staff that understand what I'm talking about, and this will happen. It will evolve into large grain farming operations that if we battle it, if we don't analyze it and facilitate the growth in this, it could be very disheartening.

I think our goal ought to be to turn the state into a vibrant food producing value-added state, but it will not happen that way within the existing structure of production agriculture. So when we look at who we serve, I think in all honesty that if you truly focus on doing good research, good science driven research, and maintaining high pedagogical standards and teaching students, that you're products and your science, you products in terms of your students and your science will serve you most appropriately wherever they may end up at, and probably in a much finer model than you would perhaps suspect.

Thank you.

The Peoples Group, Ltd

June 18, 2001

The Honorable Richard G. Lugar
Senate Hart Office Building
Washington, DC 20510

Dear Senator Lugar,

I write this letter in supported of the nomination of Thomas Dorr to be UnderSecretary of Small Community and Rural Development of the Department of Agriculture. Since this subcabinet position oversees all direct and indirect lending programs and financial services of the Department for farmers, ranchers and rural communities, it demands that persons in this position have both agricultural and financial experience. Mr. Dorr has both and is imminently qualified to take on this complex and difficult position.

Not only is Mr. Dorr a farmer with a strong family farm history, but also he has participated in farm related businesses requiring financial skills to keep working capital flowing through the business. He has been successful at both and thus, recognizes the fundamental ingredients necessary for maintaining an ongoing business. These business and financial skills will serve him well as he guides the Rural Business Cooperative Service officials and other agency officials under his supervision as we go through this next looming round of financially troubled rural business, utility and housing loans.

I make this recommendation despite the recent controversy about some remarks that Tom has made. Some background may be useful. I have known Tom almost a decade through our membership on the Farm Foundation's Bennett Roundtable. He has been an often active and thought provoking participant stirring up debate advancing the discussion to explore the ramifications fully of policies or directions of the future of US agriculture. While not always agreeing with Tom's offered positions, I valued his keen and incisive intellect and his ability to move a discussion to consider different points of view.

Agriculture needs the help of good people and I believe that Tom is one.

Sincerely,

Kenneth L. Peoples
(former President Farm Credit System Assistance Board)

Cc: Hon. Ann M. Veneman

2200 Wilson Boulevard, Suite 102-221, Arlington, VA 22201 703.538.2410 Email: ThePeoplesGrp@yahoo.com

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September 21, 2001

The Honorable Tom Harkin
Chairman, Senate Committee on Agriculture,
Nutrition and Forestry
SR-328A Russell Senate Office Building
Washington, DC 20510-6000

Dear Senator Harkin,

I am writing in support for the nomination of Thomas C. Dorr for Under Secretary of Agriculture for Rural affairs.

I have known Tom Dorr for 30 years and during that time he has exhibited extreme confidence and strength in his ability to manage and understand the complexity of all America.

Perhaps more importantly, is his sensitivity to individuals as well as his awareness of how important Agribusiness is to the United States'.

I have had the opportunity, over these years, to visit Tom when he first started farming in Marcus, Iowa. I have spent many hours with him and his family. Tom possesses a deep sense of character and commitment.

I started a business in New York City 22 years ago when Tom started his farm. We have both profited because of our consistency and ability to meet the challenges necessary.

I strongly recommend Mr. Dorr, and hope that you will confirm his nomination.

Sincerely,

Stephan Schiffman
President

SS:mar
cc: Honorable Richard Lugar

UNIVERSITY OF
MARYLAND
COLLEGE OF AGRICULTURE AND NATURAL RESOURCES
Office of the Dean and Director
Agricultural Experiment Station
Maryland Cooperative Extension

1296 Symons Hall
College Park, Maryland 20742-5565
301.405.2072 TEL
301.314.9146 FAX

September 21, 2001

The Honorable Tom Harkin
Chairman, Senate Committee on Agriculture,
Nutrition & Forestry
SR-328A Russell Senate Office Building
Washington, DC 20510-6000

Dear Senator Harkin:

I do not often write members of the Senate, but I believe that an upcoming hearing for the confirmation of Mr. Tom Doerr as USDA Under Secretary for Rural Development requires that I do so. I have learned that there is growing opposition to Mr. Doerr's appointment based in large part on remarks he made at a "Visionaries" Conference at Iowa State University in November 1999. I participated in the "Visionaries" Conference and chaired the panel that met in Ames to offer the College of Agriculture/Department of Agronomy some guidance for planning for the future. You should also know that by way of background and perhaps the reason I was asked to chair the panel was embedded in the fact that I had previously (1989-1994) served as Associate Dean/Associate Director of the Iowa Agriculture and Home Economics Experiment Station.

The issue here is about our President's prerogative to bring to Federal Service those citizens wishing to serve his administration. More to the point, the allegations that Mr. Doerr made were racist are unfounded. I observed nothing at the Ames meeting in Mr. Doerr's comments that would lead me to believe he has racist thoughts. Tom Doerr simply stated in response to a comment from the audience at an open session of the Visionaries Conference that some Iowa counties that were strong economically were not very diverse, implying that diversity in and of itself would not create greater economic wealth or stability.

I believe we all favor a diverse, multicultural society. I am confident that Mr. Tom Doerr believes likewise. To brand him a racist for comments that simply stated the reality that many rural Iowa communities lack diversity, yet remain economically viable,is simply wrong and misguided.

I thank you for letting me express my opinion on this matter. If you wish me to speak to the issue publicly at the upcoming hearing, and if my schedule will allow, I would be pleased to do so.

Sincerely,

Thomas A. Fretz
Dean and Director

cc: The Honorable Richard Lugar

Statement of Dr. Thomas A. Fretz

Given on behalf of Thomas C. Dorr
Designated Nominee
For
Under Secretary of Agriculture for Rural Development
United States Department of Agriculture

Chairman Harkin, Senator Lugar and Members of the Committee, my name is Thomas A. Fretz, Dean of the College of Agriculture and Natural Resources at the University of Maryland. Additionally, I serve as the Director of the Maryland Agricultural Experiment Station and Maryland Cooperative Extension.

I am pleased to appear before you today in support of the nomination of Mr. Thomas C. Dorr as Under Secretary for Rural Development at the U.S. Department of Agriculture. I was asked to appear before you today when it was learned that there was some opposition to Mr. Dorr's appointment based on comments that he made at a "Visionaries" Conference at Iowa State University in November 1999. I participated in the Visionaries Conference and chaired the panel that met in Ames to offer the College of Agriculture and Department of Agronomy some guidance for planning for the future. You should know that by way of background, and perhaps the reason that I was asked to chair the panel, was that I had previously served as the Associate Dean of the College of Agriculture and Associate Director of the Iowa Agriculture and Home Economics Experiment Station (1989-1994), before returning to the University of Maryland.

The issue as I see it, is about our President's prerogative to bring to Federal Service those citizens wishing to serve his administration. More to the point, the allegations that Mr. Tom Dorr made comments that were racist are unfounded. I observed nothing in Mr. Dorr's comments during the November 1999 Visionaries Conference, nor subsequently in reviewing the tape of the conference, that would lead me to believe that he has any racist thoughts. Mr. Dorr simply stated in response to a comment from one of the participants that some Iowa rural communities and counties were economically viable and vibrant, yet were anything but diverse, implying that diversity in or of itself would not create greater economic wealth or stability to rural communities.

I believe we all favor a diverse, multicultural society. I am confident that Mr. Dorr believes likewise. To infer that he was making racist comments is absurd. He simply stated the reality that many rural communities lack diversity, yet remain economically viable. To make or construe anything else from his comments is to take them out of context and is a misrepresentation of the events and facts of November 1999.

This concludes my testimony. I appreciate the opportunity to appear before you today.

Iowa Central
COMMUNITY COLLEGE

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1-800-362-2793 • Website: http://www.iccc.cc.ia.us

February 28, 2002

Honorable Tom Harkin
Chairman
Committee on Agriculture, Nutrition, and Forestry
United States Senate
SR-328A Russell Senate Office Building
Washington, DC 20510-1401

Dear Senator Harkin:

Attached you will find the testimony I would like to present on behalf of Thomas C. Dorr; Designated Nominee for Under Secretary of Agriculture for Rural Development.

I appreciate very much the opportunity to make my statement and to listen to the testimony during Mr. Dorr's hearing.

Thank you for your consideration and best wishes.

Sincerely,

James B. Kersten
Associate Vice President of Development and Government Affairs
Iowa Central Community College

cc: The Honorable Senator Richard Lugar

"Statement of James B. Kersten; given on behalf of Thomas C. Dorr; Designated Nominee for Under Secretary of Agriculture, Nutrition, and Forestry; February 13, 2002"

Mr. Chairman, it is an honor for me to testify today on behalf of Mr. Thomas C. Dorr, the designated Nominee for Under Secretary of Agriculture, Nutrition and Forestry.

My name is Jim Kersten. I am a former Iowa State Senator. I worked for the Iowa Development Commission while the state of Iowa reacted and responded to the Farm Crisis in the 1980's. I worked for former Iowa Governor Terry Branstad and attended several bank closings across the state as those banks restructured their portfolios as the farm crisis unfolded before their eyes. I am now a member of the management team at Iowa Central Community College in Fort Dodge, Iowa where we are serving over 4,500 students, most of which are from rural Iowa. Besides the fact our region is losing population, Iowa Central is the 43rd fastest growing community college in the nation. With Senator Harkin's help, and the leadership of Mr. Dorr at the USDA, we feel much more can be accomplished.

As a fellow Iowan, I feel very confident Mr. Dorr will act in the best interest of Rural America, and for that matter, the entire country.

Mr. Dorr has achieved a great deal in his life while volunteering to help the state of Iowa and our country in a variety of capacities. It is my sincere belief he brings the experience, leadership and vision necessary for this very important position.

Frankly, Rural Iowa and Rural America are at a critical stage in our economic history. Rural America needs Mr. Dorr's vision and leadership, and his ability to enact farm policy as outlined by the Farm Bill that you will hopefully approve in the near term.

I live in Fort Dodge, Iowa, the county seat of Webster County. We reside in the heart of the corn belt where we grow corn, soybeans, and raise hogs and cattle. My grandparents raised a family of 6 children on a 80 acre farm just southwest of Fort Dodge in Calhoun county. From the early 1900's my grandparents and my mother saw in real terms how federal policy impacted their lives - through the great depression with the policies of FDR - to bringing electricity to their farm home via the REC's and phone service, first through party lines to finally in the late 1960's their own phone line!

My community of Fort Dodge and the 70 mile radius around us are a prime example of how agriculture has changed. In the late 1970's our city had a population in excess of 34,000. We had 3 meat packing and processing plants employing almost 2,000 people, with good paying wages. Today, those plants are gone and our city's population stands at 26,000.

Since 1970, a majority of the counties Iowa Central Community College serves has lost over 25% of its population. Our per capita income is below the state average, and we have seen a huge increase in the number of students receiving free or reduced-priced school meals.

We are in the process of formulating a comprehensive rural development initiative that will allow us as a Region to leverage our existing programs with those of the USDA and the State of Iowa to help our economy stabilize and hopefully recover. It is our desire to create a higher wage base while creating real wealth and a growing tax base to fund the programs needed in Rural Iowa. We feel since we "live" in the heart of America where rural development policy needs to be implemented in a cost-effective manner, that Tom Dorr is exactly the "out-of-box" thinker and leader our nation needs today. If we don't have bold, dynamic, and innovative leadership that this committee realizes we must have at the local, state and federal level, we will not realize our full potential.

It is my dream that my three children will be able to attend college in Iowa if they so desire, and then find employment in a field they find challenging in Iowa. I don't want my children or grandchildren to have to look back from the year 2100 and see demographic changes that my family has seen since the 1900's.

From the bottom of my heart, I know Mr. Dorr is a decent man with the experience needed at this critical stage of Rural America's economic history. Please don't let some distort his past for their own political gain. Too much is at stake to let that happen. Please support Mr. Dorr and watch him help revitalize the USDA and Rural America! Thank you.

Emmett Barker
839 North Dearborn #C
Chicago, IL 60610

5 March 2002

Senator Tom Harkin
SH-731 Hart Senate Office Building
Washington, DC 20510-1502

Dear Senator Harkin & Members of the Senate Ag Committee:

Having been reared on a small West Tennessee dairy farm, milked cows to pay my way through the University, having spent a full career involved in many facets of agriculture and having maintained a direct interest in farm production, I urge your confirmation of Tom Dorr for Under Secretary of Agriculture for Rural Development.

I have known Tom for many years and participated with him in numerous activities and events where issues and policies related to the future of agriculture, especially production agriculture, were the main subjects. Most all of these events included participation by a cross-section of those recognized across agriculture as some of the most astute students of policy, economics, and yes, even from time to time people who coaxed a livelihood from the good earth! Throughout these many occasions, no one in the room came close to Tom in bringing to the floor a combination of perspectives, arrayed differently from the conventional thinking ... which, by the way, seems to be what has enabled us to have a "farm problem" for many, many decades ... so that meaningful and forward looking discussion could take place. Admittedly, his views were not always well received among the "conventionalists", but they were never discounted as being outside the realm of probable reality.

Perhaps most striking about Tom's input to these discussions was the fact he, more than any other discussant, could also take a look from the outside in and thus bring a different perspective. His ability to do this comes from his many varied experiences inside and outside of agriculture and rural America. It is within this framework that Tom has the potential to make the most significant impact of any Under Secretary For Rural Development in many years because helping rural America achieve significant contributions to society will require new visions of how to "put all the pieces together!" We don't need just another administrator for Farmers Home Administration!

Society is rapidly changing its contract with agriculture and rural America. Why can't we have a person at USDA who can provide the perspectives and leadership so badly needed to make the change constructive for all of us?

Tom Dorr is the person who can make a real difference. His confirmation is much needed!

Yours truly,

Emmett Barker

Mr. Chairman, a number of Tom Dorr's neighbors in Iowa and former colleagues wanted to testify but could not be here today. They have submitted statements and I would ask that these statements be submitted for the record. There are also a number of letters to the Committee that also support Mr. Dorr's nomination and I would ask that these also be included in the record.

Statements of Witnesses for Tom Dorr – Submitted for the Record

RICELAND

Richard E. Bell
President

February 12, 2002

VIA FACSIMILE
202-224-9287

Honorable Tom Harkin
Chairman, Committee on Agriculture,
Nutrition and Forestry
United States Senate
Room SR-328-A
Washington, DC 20510

Dear Chairman Harkin:

I strongly support the nomination of Thomas Dorr to be Under Secretary of Agriculture for Rural Development.

I have known Tom Dorr for more than twenty-five years. I first worked with him when I was a senior official at the U.S. Department of Agriculture, when in the early 1970s, I served as Assistant Secretary of Agriculture for International Affairs and Commodity Programs, president of the Commodity Credit Corporation and chairman of the Federal Crop Insurance Corporation.

I very much respect Tom as an individual as well as his knowledge of farming and agriculture generally. He undoubtedly is one of the more innovative farmers in the United States.

I believe that his experience as a member of the board of directors of the Federal Reserve Bank of Chicago and the Iowa State Board of Regents puts him in good stead to lead the Department of Agriculture's efforts in rural development. I would expect him to be a strong, innovative leader in this position.

I understand a question has risen regarding Tom's attitude toward ethnic groups. In all of the time that I have known Tom, and some months we have talked by telephone weekly about markets, farm programs and economic policy, I recall

nothing that would lead me to believe that Tom is not aware of the importance of cultural diversity to the strength of our nation. I have not once heard a negative remark from him regarding race, creed or ethnic group.

I believe that Tom is well qualified to be Under Secretary of Agriculture for Rural Development. I urge the committee to recommend his early confirmation to the position.

Sincerely,

Dick Bell

Richard E. Bell
President and
Chief Executive Officer

July 19, 2001

Senator Tom Harkin
731 Hart Senate Office Building
Washington, DC. 20510

Dear Senator Harkin:

As a businessperson with ties to Carroll county and a member of the Iowa Department of Economic Development Board of directors, I am writing to ask you to seriously consider supporting the nomination of Tom Dorr for the Assistant Secretary of Agriculture position.

Iowa needs to have strong representation in the Department of Ag, and with your support as Chair of the Senate Agriculture committee, Mr. Dorr will provide that representation and help provide the leadership, resources and programs that will help us continue to diversify our rural economy.

Please consider supporting Mr. Dorr so he can help you reach your goals and objectives as Chair of the Senate Agriculture committee.

Sincerely,

Bob Bocken
Farmer Bocken, Inc.

FAX TRANSMISSION

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Email: billbridgforth@Ramsaylaw.com

To:	Senator Blanche Lincoln Attn: Robert Holifield	**Date:**	November 15, 2001
Fax #:	202.228.1371	**Pages:**	__2__, including this cover sheet.
From:	William C. Bridgforth		

Subject: Confirmation of Tom Dorr as Under Secretary – Rural Development

COMMENTS: Blanche: Congratulations and thank you for all that you have done for Agriculture with your strong stand for the 2002 Farm Bill provisions that are so vital. This bill simply would not have happened without you and your efforts.

On a different matter: For a number of years I have represented the Dorr family of Marcus, Iowa, in connection with their varied farming interests. I assisted them in the findings of an end-of-year review for 1994 (in 1996), and have since worked with them on other FSA matters, including a current year end review for 1994, 1995 and 2000 for their various interests.

One of the Dorr brothers, Tom, has been nominated by the President to be Under Secretary of Agriculture for Rural Development. No hearing has been scheduled for Tom, but he has been advised that as soon as Senator Harkin concludes the Farm Bill matters that a hearing will be set. I can tell you that Tom Dorr is a fine man, very knowledgeable in agricultural matters and would be a fine addition to USDA. He is a farmer from a farming family, and would understand rural development issues from a farming perspective. We need more leaders in Washington in the USDA who understand what Congress is trying to do to insure that this nation always has the best and most affordable supply of food and fiber in the world, and that we will never have to look beyond our own borders for this most valuable resource. Tom would add that necessary dimension to every discussion.

My recommendation of him is from my personal observation and experience with him. I ask you to give Tom's nomination every consideration, and hope that he will receive your support. With every good wish.

Bill Bridgforth Bill Bridgforth

Tim Burrack
8405 80th Street
Arlington, Iowa 50606

June 1, 2001

Dear Mr. Chairman:

I write in support of the nomination of Tom Dorr for Under Secretary for Rural Development of the US Department of Agriculture, and I ask for your careful consideration of all of the facts before you decide this very important nomination.

I believe, and Tom has asserted, that the comments made at Iowa State were taken out of context. I know him personally, and I can attest that Tom is a good and decent man, one who values—not disparages—diversity in all its forms. I cannot believe in good conscience that these remarks are reflective of his views on diversity or race relations.

I encourage you to press him on this issue during the confirmation process—I believe that you will find his intentions, and his views on diversity, nothing short of honorable.

Sincerely,

Tim Burrack

Tim Burrack

The Honorable Tom Harkin
United States Senate
Committee on Agriculture, Nutrition, and Forestry
328-A Russell Senate Office Building
Washington, DC 20510

July 19, 2001

Senator Tom Harkin
731 Hart Senate Office Building
Washington, DC. 20510

Dear Tom:

I am writing to ask you to support Tom Dorr's nomination for the Assistant Secretary of Agriculture for Rural Development.

As a former member of the Iowa Senate, I know how politics can get involved in such appointments! However, Iowa is lucky to have such an appointment come from this state and I believe Mr. Dorr will represent us very well.

Please consider supporting Mr. Dorr.

Sincerely,

Bob Carr
Dubuque

Farmers State Bank
"A Real Community Bank"

Robert J. Engel
Executive Vice President

BOX 548 • MARCUS, IOWA 51035
PHONE: 712-376-4154 • FAX: 712-376-2759
fsbmarcus@nwidt.com

March 4, 2002

The Honorable Tom Harkin, Chairman
Committee on Agriculture, Nutrition, and Forestry
United States Senate
SR-328A Russell Senate Office Building
Washington, D.C. 20510-1401

Dear Senator Harkin:

Thank you for calling the Hearing for the nomination of Thomas C. Dorr of Iowa for the Under Secretary of Agriculture for Rural Development. I am looking forward to attending the hearing.

Enclosed is my Statement and I ask that it becomes record on behalf of Mr. Dorr.

Respectfully,

Robert J. Engel

March 4, 2002

Statement of Robert J. Engel
Given on behalf of Thomas C. Dorr
Designated Nominee for
Under Secretary of Agriculture for Rural Development
United States Department of Agriculture

I have been in the Banking Industry for the past 31 years and currently serve as Executive Vice President of Farmers State Bank in Marcus, Iowa. During those 31 years I have had the opportunity to serve the Agriculture Banking needs of farmers of all sizes and agriculture enterprises in Northwest Iowa. I am a past president of the Siouxland Bankers Association.

Since 1994 I have had the privilege to work with Tom Dorr. Our bank has provided the financial needs for Tom Dorr, Dorr's Pine Grove Farm, PGF Seeds, and the various family Trusts that Tom managed. All of Tom Dorr's business transactions with our bank have been nothing short of a Model for Integrity. His farming practices and visions for agriculture have provided me, and many other Ag leaders in Northwest Iowa with optimism for the future of Agriculture in Rural Iowa.

When a person talks about today, Tom Dorr is talking about this month. When a person is thinking about this month, Tom Dorr is thinking about this year. When a person is planning for this year, Tom Dorr is planning for this decade. Most always when you are talking, thinking, or planning for the future it becomes easy to generate criticism.

Tom Dorr has challenged our community, he has challenged our school, through the Board of Regents he has challenged our universities, and through the Federal Reserve he has challenged bankers. Good things have come from these challenges. Those that are satisfied with things "as is" find it easy to criticize the challenger. Criticism alone will not serve the progress of our communities, schools, universities, banks, or agriculture.

We need Rural Development in America. We need a challenger like Tom Dorr to provide the leadership to motivate us in Rural America to do the things that will be necessary in the years to come to improve our communities, schools, universities, banks, and our Agriculture base and to provide us with the leadership to adapt to the changes that are surely to come.

With all respect and admiration for Tom Dorr, I urge approval of his nomination as Under Secretary of Agriculture for Rural Development.

Respectfully Submitted.

Robert J. Engel, Executive Vice President
Farmers State Bank of Marcus, Iowa 51035
Past President Siouxland Bankers Association

Donald D. Etler, OpEd, Sioux City *Journal*, 9/8/01

Informed Iowans should support Tom Dorr

ALGONA, Iowa - A recent Associated Press article described a petition fronted by the National Farm Action Campaign, NFAC, and signed by representatives of 161 organizations calling for the rejection of Iowa businessman and farmer Tom Dorr in consideration of his nomination for USDA undersecretary for rural development. It is unfortunate that Dorr cannot respond in deference to the request of the White House. But, does anyone really believe the claim of the NFAC that Tom Dorr advocates one farmer for every 350 square miles or that he thinks 500 of every 501 farmers should go out of business?

I have dealt with Tom Dorr on both professional and personal levels. This man does not deserve the distorted, severe attacks upon his beliefs and character. I believe I know Tom well enough to be correct in believing that his work ethic, business sense, tenacity and moral foundation would serve rural America, and rural Iowa, quite well.

Those who choose to distort Dorr's words regarding farm program policies must be doing so solely for political reasons because as undersecretary for rural development Mr. Dorr's responsibilities would not be in areas that deal with USDA commodity programs or environmental regulations which most directly impact independent farmers. Political reasons probably explain why a website has been set up where with the click of a button a letter to the editor opposing Dorr can be downloaded. Seeing this reminds me of the old West lynch mobs.

The undersecretary for rural development is primarily responsible for policies affecting infrastructure and commerce in rural communities. Ninety percent of rural America's jobs are found in those communities and not on the farms. Most of our farmers now have off-farm jobs. As our rural communities struggle to survive with an aging and shrinking population, with the exit of businesses to larger regional communities, and with the retirement of up to 25 percent of surrounding cropland under existing farm programs, rural communities should be demanding that federal rural development policies to be retooled and redirected to reverse the long decline. In opposing Dorr, the NFAC empowers entrenched bureaucrats to continue failed programs to our continued harm.

Do the members of those groups that oppose Dorr's nomination truly want to hold the status quo which, in the case of the USDA rural public policy, has been ineffectual if not harmful for rural communities across the country? I believe Tom Dorr will tackle failed and misguided rural development programs from a new perspective. He will demand accountability of the entrenched bureaucracy and he will bring the new ideas and vision that are so sorely needed.

In the interests of the multitude of Iowa's struggling rural communities, informed Iowans would be well served to support the nomination of one of our own.

Donald D. Etler

October 17, 2001

The Honorable Tom Harkin
Chairman, Senate Committee on Agriculture, Nutrition & Forestry
SR-328A Russell Senate Office Building
Washington, DC. 20510-6000

Dear Senator Harkin:

I am writing in support of Tom Dorr from Marcus, Iowa as the Under Secretary for Rural Development at the United States Department of Agriculture.

As you know, Mr. Dorr's nomination has been before your committee awaiting a hearing since April 30 of this year, more than five months ago. USDA's Rural Development is tasked with providing many services to the American people. Without Senate-confirmed leadership in this area, opportunities to develop future and currently available services are passing rural America by. Your commitment to rural America underscores the urgency of this confirmation.

As a successful family farmer in Iowa, Mr. Dorr will bring a wealth of invaluable experience and knowledge to the USDA. As a former member of the Chicago Federal Reserve Bank's Board of Directors, Mr. Dorr possesses the appropriate and needed banking expertise to oversee the USDA's $80 billion in outstanding loans to rural communities. Mr. Dorr also has demonstrated his leadership and vision as a member of the of the Iowa Board of Regents, the organization that oversees all aspects of the state's public universities. Mr. Dorr's intelligence, character, and vision will be an untold asset to America's rural communities.

I urge your immediate attention and support for this confirmation. Thank you for your attention and concern on this critical matter.

Sincerely,

Cathy Grawe

Cathy Grawe
Johnson Co. Republican Central Committee

CC: The Honorable Richard Lugar

JOHN A. STEVENSON
24574 S.R. 104, Circleville, Ohio 43113

Telephone (740)477-8901
Fax (740)477-8905

The Honorable Tom Harkin, Member
United States Senate
731 Hart Office Building
Washington, D.C. 20510

June 12, 2001

Dear Senator Harkin:

As a past president of the National Corn Growers Association, I am writing in support of Tom Dorr to be confirmed as USDA Under Secretary of Rural Development.

I have known Tom for many years and found him to be brilliant and accomplished but on occasion, impatient. There were times during corn grower meetings when Tom's foresight surpassed traditional thinking and those less-gifted were left in confusion.

Tom's directness and forthrightness are making him a victim of those who foster the "good times" of the small family farm. I am one of those, with just 400 acres left, but fortunate to have the land farmed by two fine young men. I haven't the resources to match today's technology, even though we can irrigate 300 acres of the farm. And if it were not for off farm income, I probably would have lost this "home" farm. So, I am not always in sympathy with those who believe they are entitled to a life style equal to their off farm cousins when they do not have the productivity required today in agriculture.

I believe that Tom Dorr, with your assisting leadership, can bring some new horizons to rural America. I am a past rural electric cooperative board member and I can envision that agency opening a new frontier across the land by enabling remote areas to access broad band technology. The successes of the rural electric and telephone cooperative movement should be built upon so that we can excite and challenge our young people into seeing and building a future in their home neighborhoods or at least prepare them to command the top jobs. We know the rural work ethic and loyalty is in demand, so let's offer them every opportunity to contribute their utmost.

I ask that you give rural America the chance to break traditions by giving Tom Dorr the responsibility to lift our goals and social standards through rural enterprises and value added businesses. I have taken many risks and you can tell not all have been successful. I ask that you take this risk for us.

Sincerely,

John A. Stevenson

The Honorable Tom Harkin
Chairman
Committee on Agriculture, Nutritution, and Forestry
United States Senate
SR-328A Russell Senate Office Building
Washington, D.C. 20510-1401

Senator Harkin:

Attached is my testimony for the Senate Agriculture Committee given on behalf of Thomas Dorr. I am submitting it for the record.

Keith Heffernan

Statement of Keith Heffernan; Given on behalf of Thomas C. Dorr; Designated Nominee for Under Secretary of Agriculture for Rural Development; To the; U.S. Senate Committee on Agriculture, Nutrition, and Forestry; February 28, 2002

Mr. Chairman and Senators, I am Keith Heffernan. I am here in support of the nomination of Tom Dorr for Under Secretary of Rural Development. I am not representing any organization or entity.

I have known Mr. Dorr since the late 1970's when I was the first executive director of the Iowa Corn Growers Association and Tom Dorr was a board member of that organization. Other directors and I were impressed by the energy, determination, and vision Tom brought to the Iowa Corn Growers efforts to initiate the corn checkoff in Iowa. Tom was part of the brain trust that laid the foundation for the organizations efforts in ethanol, export promotion, corn sweeteners, and research to add value to Iowa commodities. In the 1980's while I was Iowa Governor Branstad's agricultural staffer, I had the opportunity to work closely with Tom as we developed strategies to overcome the economic crisis facing agriculture at that time, and again, later while he served on the Iowa Board of Regents. In the last seven years, as Assistant Director of the Center for Agricultural and Rural Development at Iowa State University, I have consulted with Tom on numerous occasions for his input and insights on rural development and agriculture.

I made the following observations about Tom since meeting him over 25 years ago that have been reinforced over the years:

First, Tom has a great commitment, concern, and passion for agriculture and rural America. He has given generously of his time to agricultural and rural development efforts, often at a sacrifice to his farm operation and family. Although he is a fourth generation farmer, he didn't return directly to the farm following graduation from college, but rather began his career in business. He later chose to join his father and uncle in the family operation because of his love for the land and for the opportunities he saw

in farming. I would suggest that Tom's vision of rural development and agriculture is based on what he sees as the opportunities and potential, rather than the size, scale or structure, of agriculture. Anyone that knows Tom well has heard him say over and over that: "rural areas must be economically viable to retain and attract the best and brightest people."

Second, Tom Dorr is bright, articulate, well read, and a visionary. Although I try to keep current on a fairly broad range of issues pertaining to rural development, I am no match for this person who not only reads all the agriculturally related publications, but regularly reads, the New York Times, The Wall Street Journal, Forbes, the Economist, and the like seeking new ideas, approaches and concepts. Tom listens. His inquisitive mind is always seeking to find answers and he seeks different perspectives and approaches from a wide array of individuals and sources. He is analytical. He is one of the fastest individuals that I know in getting to the proverbial bottom-line and related implications.

Third, when working with Tom one gets the feeling there is a sense of urgency –focus, intensity and persistence. I quickly learned that Tom is results-oriented and has high expectations of people he deals with – the same criteria he applies to himself. In the Iowa Corn Growers, Tom took the lead in generating new ideas to organize and accomplish tasks in a timely manner. Likewise, when he was on the Iowa Board of Regents, staffers were astounded that Tom would read cover-to-cover the pre-meeting background book as evidenced by his well-thought out questions and meaningful discussion of items on the agenda. In my current position, I see those attributes as Tom studies reports from the University, not just the conclusion, but the data and methodology used and expects it to be accurate and based on factual evidence rather than opinion.

The fourth and final observation concerns Tom's integrity and character. In the twenty-five years I've known Tom, he has been a person of his word. What I've appreciated most about Tom is that he is honest, straightforward, and candid. I never have to be concerned that he is giving a different version of what he has told me to others behind my back.

Tom cares deeply about his family, his community, his State of Iowa and about agriculture. A few years ago we heard the mayor and a banker from Rodgers, Arkansas describe their efforts to make the large Hispanic community welcome and comfortable in that community. The banker described how they had printed information sheets in Spanish, held evening meetings to discuss check writing, money transfers and financial matters, and had arranged to make small loans to build credit ratings for the people. Tom was so touched by these efforts in Arkansas, that he has been on a campaign ever since to replicate those ideas in Iowa communities that have a Hispanic population.

Mr. Chairman and Senators, the reason I am here this morning is that, I too, am concerned with agriculture and rural development. I would suggest our efforts to revitalize and stimulate rural America have not met expectations as reflected in this committees' deliberations and proposals for rural development in the farm bill. We need new ideas and new approaches for rural economic development. USDA rural development needs a leader who has the commitment, passion, and urgency to provide stability and viability to rural areas. Tom Dorr has demonstrated this ability. I believe he will make a positive difference for rural America.
Thank you.

10/20/2001

The Honorable Tom Harkin
Chairman, Senate Committee on Agriculture, Nutrition & Forestry
SR-328A Russell Senate Office Building
Washington, DC. 20510-6000

Dear Senator Harkin:

I am writing to express my support for your committee's confirmation of Tom Dorr from Marcus, Iowa as the Under Secretary for Rural Development at the United States Department of Agriculture.

As you know, Mr. Dorr's nomination has been before your committee awaiting a hearing since April 30 of this year, more than five months ago. USDA's Rural Development is tasked with providing many services to the American people. Without Senate-confirmed leadership in this area, opportunities to develop future and currently available services are passing rural America by. Your commitment to rural America underscores the urgency of this confirmation.

As a successful family farmer in Iowa, Mr. Dorr will bring a wealth of invaluable experience and knowledge to the USDA. As a former member of the Chicago Federal Reserve Bank's Board of Directors, Mr. Dorr possesses the appropriate and needed banking expertise to oversee the USDA's $80 billion in outstanding loans to rural communities. Mr. Dorr also has demonstrated his leadership and vision as a member of the of the Iowa Board of Regents, the organization that oversees all aspects of the state's public universities. Mr. Dorr's intelligence, character, and vision will be an untold asset to America's rural communities.

I urge your immediate attention and support for this confirmation. Thank you for your attention and concern on this critical matter.

Sincerely,

David Sieck
Iowa Corn Growers Association

CC: The Honorable Richard Lugar

November 1, 2001

Senator Tom Harkin
731 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Harkin:

News has been coming out of Washington that the new Farm Bill will include an emphasis on Rural Development. This is good news for Cherokee County. With the Ag commodity prices currently depressed we certainly can see an adverse affect on our communities.

More emphasis on Rural Development from the Agriculture Department could provide us with the necessary tools to get our communities back on the path of progress. Having you as Chairman of the Senate Ag Committee gives us in Iowa added confidence because of your influential position for programs to assist us with Rural Development projects.

We also would like to request, with all sincerity, your efforts to get Tom Dorr confirmed as Undersecretary of Agriculture for Rural Development. Along with you, this would give us an additional needed resource on our behalf to get our communities back on the road to progress in our Economic Development efforts. We desperately need this in Rural Iowa.

Progressive people often encounter some criticism, but Tom Dorr has a record of being a passionate advocate for rural America. He was the leader of the Chicago Pacific Shippers Association and was successful in getting both private and public funds to sustain a viable rail line in Northwest Iowa. He was one of the initial organizers of the Cherokee County Economic Development Corporation. He was also successfully involved in our new nursing home in Marcus. He recently met with the developers of our Ethanol Plant in Cherokee County and area bankers and gave us valuable guidance on available USDA programs that will assist us in our final steps in completing this very important project in Cherokee County. We feel his leadership will not only benefit Cherokee County, but all of rural Iowa.

Senator, we respectfully and urgently need your support.

Mike Hunter
President, Cherokee Area Economic Dev. Corp.
President, Cherokee State Bank

Darrell Downs
Mayor of Marcus, Iowa

Leroy Schoon
Cherokee County Supervisor
President, Schoon Construction, Inc.
SBA Iowa Small Business of the Year

Ron Weatherall
Cherokee County Supervisor
President, Weatherall Mfg.

Charles Sand
President, Sands of Iowa, Inc

Kenneth Ogren, President
Farmers State Bank

Daryl Haack
President Little Sioux Corn Processors

cc: Senator Charles Grassley

151 N. Michigan Ave.
Suite 1714
Chicago, IL 60604
February 11, 2002

The Honorable Tom Harkin
Chairman
Committee on Agriculture, Nutrition and Forestry
United States Senate
SR-328A Russell Senate Office Building
Washington, DC 20510-1401

Dear Senator Harkin:

I understand that the Committee on Agriculture, Environment, Nutrition, and Forestry will be holding hearings on the confirmation of Mr. Thomas A. Dorr to the position of Deputy Secretary of Rural Policy on Wednesday, March 6, 2002. Due to prior business commitments I am not able to attend this hearing. Hence, I am submitting the enclosed statement to the Committee.

Sincerely,

William C. Hunter

Statement of William C. Hunter
Given on behalf of Thomas C. Dorr
Designated Nominee for
Under Secretary of Agriculture for Rural Development

This statement is submitted in support of the nomination of Mr. Thomas C. Dorr. I have known Tom for almost seven years and have come to greatly respect and admire his dedication to the development of sound economic and agriculture policies.

My initial interactions with Tom occurred during the time he served on the Board of Directors of the Federal Reserve Bank of Chicago where I am employed as a Senior Vice President and Director of Research. During this time and over the years that have followed, I have observed Tom in numerous settings. These settings have ranged from formal Board of Directors' meetings, to a variety of less formal settings including celebratory dinners, social functions, and conventions, among others. No matter what the occasion, I can honestly say that I have always found Tom to be the consummate gentleman, a good listener, and someone who always offers comments and suggestions grounded in a solid understanding of the issues.

I have always found Tom's insights to be extremely valuable in a variety of areas, most notably those related to agricultural and rural development policy. However, it would be an oversight not to mention the solid advice and counsel he has provided on issues dealing social problems in general and the impact of technological change on life in rural and agriculture communities, in particular. Tom was one of a handful of people to understand that while the adoption of technological advances in the farm sector would lift productivity to new levels, these same changes could also have adverse implications for the viability of the traditional small family farm. In this regard, he often expressed concern for the plight of the traditional family farm—an institution facing intense competitive pressures from larger more efficient operators and one typically requiring significant off-farm income just to break even.

In the face of these developments, Tom continually raised concern about the lack of a coherent plan for maintaining the viability of the small family farm on the one hand and dealing with the social issues likely to result from their potential displacement on the other. I understand that some parties have claimed that Tom is insensitive to issues related to diversity. As an African American, I can honestly say that I have never felt uncomfortable in Tom's presence. I have never heard him offer disparaging remarks about people of color, the intrinsic value of

diversity, or about small farmers for that matter.

Needless to say, I believe that Tom Dorr is bright, articulate, and personable. He accepts critical comments well, is not afraid to speak his mind, and demonstrates rigorous economic thinking. Finally, he has a deep understanding and appreciation of the issues confronting our rural and agriculture communities and I have no doubt that he will serve our country well.

Thank you.

Heartland
Communications Group, Inc.

July 19, 2001

Senator Tom Harkin
731 Hart Senate Office Building
Washington, DC. 20510

Dear Senator Harkin:

I am writing to ask that you support Mr. Tom Dorr's nomination to become the Assistant Secretary of Agriculture for Rural Development.

Mr. Dorr is very qualified for this position. He has a strong track record of providing leadership, including his farm business experience, his time with the Federal Reserve, his service on the Board of Regents, and the fact he is an Iowan!

Please don't let those who are opposed to him distort his record for political benefit. I sincerely believe we in Iowa are lucky to have "one of us" nominated, and I believe he will work hard to help Iowa and other rural states expand and diversify their economies.

Thank you for your consideration. With you as Chair of the Senate Ag committee, and Tom Dorr at the Department of Agriculture, Iowa will be well positioned!

Sincerely,

HEARTLAND COMMUNICATIONS GROUP, INC.

James B. Kersten
Sr. Vice President & COO

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May 23, 2001

Senator Charles Grassley
135 Hart Senate Office Bldg.
Washington, D.C. 20510

FAX: Regarding Tom Dorr nomination

Dear Senator Grassley,

Thank you for the leadership your provided resulting in the passage of the tax legislation yesterday. I, like many other Iowans, have been very proud of your work as Chairman of the Senate Finance Committee. Your work on this issue will make a positive difference in the lives of many working people and in the strength of the economy.

I write to respectfully urge your continued support of Mr. Tom Dorr for USDA Undersecretary for Rural Development. The Des Moines Register has recently made a number of incorrect and unfair characterizations of things Mr. Dorr has done or said. Based upon my experience and knowledge of Mr. Dorr, the articles in the Register are inaccurate and do not reflect either his record or the high regard with which he is held by many people of good judgement in Iowa and from around the country.

Mr. Dorr's service to agriculture and to the people of Iowa has been exemplary, and I feel strongly that he will contribute mightily to a successful USDA for the Bush Administration. Mr. Dorr is well known and well thought of throughout agriculture, whether with farm organizations or with agricultural companies.

Mr. Dorr has been a great friend to me personally and professionally as we have tried to develop a company that will delivery valuable services for twenty-first century agriculture. His perspective on current and future issues of vital importance to agriculture is among the very best of anyone in the United States.

I view the contributions that Mr. Dorr will make at the USDA as very important. I also feel strongly that Iowans deserve and need to have one of the top positions at the Department and that our state will be very well represented by him in the discharge of his responsibilities.

Thank you for your consideration of this matter of great importance to Iowa and to agriculture, and thank you for your continued hard work.

Sincerely,

Kevin Kimle
Founder

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MANAGEMENT CONSULTANTS
819 South Wabash Avenue
Suite 600
Chicago, Illinois 60605

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Fax (312) 786-0323
www.wpmck.com

October 3, 2001

The Honorable Thomas Harkin
United States Senate
Chairman, Senate Committee on
Agriculture, Nutrition & Forestry
SR-328A Russell Senate Office Building
Washington, DC 20510-6000

RE: Tom Dorr

Dear Senator Harkin:

This is to advise you that I served on the Board of Directors of the Federal Reserve Bank of Chicago for several years with Tom Dorr. I understand that he is being considered for an appointment as Under-Secretary of Agriculture, and because of a statement that he made, is now having some trouble. The statement suggests that he may have been non-supportive of an all-inclusive society, suggesting that there was no need to integrate farm operations in Iowa.

This has been an unfortunate circumstance, and as Tom explained to me his statement was taken out of context and in no way did he intend to suggest discrimination against minorities. Even though he feels the statement was taken out of context, he sincerely regrets having made a statement that could be erroneously interpreted, and he apologizes to me, and to the world for having made it.

Being an African American and serving with Tom for those several years, nothing came to my attention or hinted that he was in any way a racist, and I consider him my friend. I hope that you accept this letter in the spirit that it is written. If you have any questions, please contact me. My direct line is 312-542-1558.

Sincerely,

Lester H. McKeever, Jr.
Managing Principal

cc: Senator Richard Lugar

July 19, 2001

Senator Tom Harkin
731 Hart Senate Office Building
Washington, DC. 20510

Dear Senator Harkin:

I don't normally get involved with appointments at the Federal level, but I am writing to ask that you support Mr. Tom Dorr's nomination to the USDA.

As a businessperson whose company does work throughout the state and Midwest, I know how important it is for rural development to continue to move forward. Whether it is affordable housing, value added ag, highway construction, or community infrastructure needs, the USDA can help make sure these important issues and projects move forward. With an Iowan such as Mr. Dorr in such a position, we will have influence that no other state has, particularly with you as Chair of the Senate Agriculture committee.

Please consider supporting Mr. Dorr and help move his nomination forward.

Sincerely,

Dwayne McAninch
McAninch Corporation

Waters, Mary

Dorr, Thomas
Thursday, May 24, 2001 11:34 AM
Waters, Mary; Worsham, Wanda; Deberry, Drew
Scott Stanzel (E-mail); Sara Taylor (E-mail)
FW: Tom Dorr confirmation

-----Original Message-----
From: Jack (038) Mary Ann Montgomery
Sent: Thursday, May 24, 2001 11:24 AM
To: Dorr, Thomas
Subject: Fw: Tom Dorr confirmation

For your collection, Tom :-)

----- Original Message -----
From: Jack & Mary Ann Montgomery
To: tom_harkin@harkin.senate.gov
Sent: Wednesday, May 16, 2001 5:30 PM
Subject: Tom Dorr confirmation

Senator Harkin,

My husband and I have been amazed by the media coverage of the Tom Dorr nomination, and hardly recognize our friend and neighbor in what we have been reading.

Yes, that's right . . . Tom does indeed have neighbors who are friends and supporters! What we have been reading in the Register does not accurately describe the man we have been close to for nearly 30 years.

As a Democrat, I'm embarrassed to say that I believe some of these misleading articles have originated in the State Democratic party offices.

My husband and I farm about a thousand acres in Northwest Iowa and have benefited from the advice, suggestions, and support offered by Tom throughout the years of our friendship. You see, a real friend will not tell you what you think you want to hear . . . he'll tell you what he thinks might be of benefit to you.

Tom's local critics come mainly from very conservative farm organizations . . . organizations that have promoted our unsuccessful farm policies for decades. Now, our rural areas are in dire straits from their failure to think outside the box in which their conservatism has placed them. Their main complaint against Tom is his willingness to do exactly what they are incapable of doing . . . to look at our long term farm problems from totally new perspectives, to investigate real alternatives rather than to rename past failed policies and try them again, and to voice ideas that might be unpopular. What a breath of fresh air in tired, old, don't-say-anything-controversial-politics!

Senator, I'm asking that you consider the benefits that your home state may gain from the appointment of Tom Dorr and that you lend your weight to his confirmation.

Sincerely,
Mary Ann Montgomery
Larrabee, Iowa 51029

October 15, 2001

The Honorable Tom Harkin
Chairman, Senate Committee on Agriculture, Nutrition & Forestry
SR-328A Russell Senate Office Building
Washington, DC. 20510-6000

Dear Senator Harkin:

I am writing to express my support for your committee's confirmation of Tom Dorr from Marcus, Iowa as the Under Secretary for Rural Development at the United States Department of Agriculture.

As you know, Mr. Dorr's nomination has been before your committee awaiting a hearing since April 30 of this year, more than five months ago. USDA's Rural Development is tasked with providing many services to the American people. Without Senate-confirmed leadership in this area, opportunities to develop future and currently available services are passing rural America by. Your commitment to rural America underscores the urgency of this confirmation.

As a successful family farmer in Iowa, Mr. Dorr will bring a wealth of invaluable experience and knowledge to the USDA. As a former member of the Chicago Federal Reserve Bank's Board of Directors, Mr. Dorr possesses the appropriate and needed banking expertise to oversee the USDA's $80 billion in outstanding loans to rural communities. Mr. Dorr also has demonstrated his leadership and vision as a member of the of the Iowa Board of Regents, the organization that oversees all aspects of the state's public universities. Mr. Dorr's intelligence, character, and vision will be an untold asset to America's rural communities.

I urge your immediate attention and support for this confirmation. Thank you for your attention and concern on this critical matter.

Sincerely,

Steven C. Olson, Chair
Washington County Republican Central Committee - Iowa

CC: The Honorable Richard Lugar

July 19, 2001

Senator Tom Harkin
731 Hart Senate Office Building
Washington, DC. 20510

Dear Senator Harkin:

As Director of City Planning and Community Development for the City of Fort Dodge, I believe you should support the nomination of Tom Dorr for the Assistant Secretary of Agriculture for Rural Development.

While our city does not meet most of the requirements for the various USDA programs available to rural America due to our population size, I believe it would be very worthwhile for Iowa to have such a person in the Department so we can "have a voice" in future rural development initiatives. Mr. Dorr and the USDA control billions of dollars, some of which could be used to help Iowa diversify its economy and build affordable housing, so I hope you will push this nomination forward in the Senate Agriculture committee.

Fort Dodge, and the region around us are working hard to develop value added agriculture businesses. We have an opportunity to work with Staley to build a wet milling and ethanol plant in rural Webster County, west of Fort Dodge. It would be very helpful to have Mr. Dorr and the Department of Agriculture assist us if and when the plant is constructed.

Thank you and please let me know if you have questions.

Sincerely,

Dennis Plautz
Director of City Planning and Community Development
City of Fort Dodge

Dorr, Thomas

From: Jim (038) Steve Smith Insurance [smithins@midlands.net%inter2]
Sent: Friday, June 08, 2001 10:45 AM
To: pinegrov@netins.net%inter2
Subject: FW: Tom Dorr nomination

-----Original Message-----
From: Jim & Steve Smith Insurance [mailto:smithins@midlands.net]
Sent: Friday, June 08, 2001 9:15 AM
To: tom_harkin@harkin.senate.gov
Subject: Tom Dorr nomination

Dear Senator Harkin:

I write to urge you to support the nomination of Tom Dorr as Undersecretary of Agriculture for rural developement. I am a Democrat and small businessman. I have known Tom for more than 30 years. While Tom and I might have different approaches to some of rural America's problems I believe he brings enthusiasm and a desire to succeed to this position. I believe the negative comments in the press, particularly the Des Moines Register, to be without real merit. By no means is Tom a bigot or a radical. He served as a member of the State Board of Regents and the Federal Reserve Board. He and his brother operated a family farm operation very successfully for many years. Tom has been open to new ideas and new approaches. Tom has not been afraid to express opinions, especially in the context of "brainstorming" sessions. I think the comments being toss around the press probably came from such a situation. I believe it is definitely in Iowa's best interest that Tom be confirmed. To have a real Iowa farmer in a position of relative power could be a real boost for this State and area. The deeper the search goes with Tom you will find a prudent, conservative Iowa farmer with sound, family values. This type of person could be much better than Mr. Bush's second choice for this job. Thanks very much for your consideration.

Stephen J. Smith
Box 517
Marcus IA 51035
712 376 2112 (office)

Congress of the United States

Washington, DC 20515

May 23, 2001

The Honorable Tom Harkin
Ranking Member
Committee On Agriculture, Nutrition, and Forestry
Russell Senate Office Building
Room 731
Washington D.C., 20510

Dear Senator Harkin:

We are writing today to register our deep concern regarding the proposed nomination of Tom Dorr for the Undersecretary of Rural Development at the US Department of Agriculture. Recent developments have cast doubt upon the Mr. Dorr's ability to serve all American farmers in a way that is sensitive to their needs and struggles.

In particular, we are disturbed by recent remarks attributed to Mr. Dorr regarding ethnic diversity and economic development. On May 10, the DesMoines Register quoted Mr. Dorr as saying the following:

> This is not at all the correct environment to say this, but I think you ought to perhaps go out and look at what you perceive the three most successful rural economic environments in this state....you'll notice when you get to looking at them that they're not particularly diverse, at least not ethnically diverse....There's something there obviously that has enabled them to succeed very well.

Given the past record of the United States Department of Agriculture on matters of ethnic diversity and civil rights, we are shocked to learn that the proposed nominee would express the belief that ethnic diversity is an impediment to economic growth. Mr. Dorr's nomination for a position that would require him to work in counties with extensive ethnic diversity makes it difficult for us to understand, much less reconcile ourselves to, such seemingly insensitive statements.

The Congressional Black Caucus has long worked to ameliorate USDA's historic bias against minority farmers and to improve the capacity of USDA to work with minority and economically disadvantaged farmers. Given the ongoing efforts that many members of this caucus have made in this regard, it is possible, even likely, that to confirm Mr. Dorr as the Undersecretary for Rural Development without a deeper investigation into his sentiments regarding ethnic diversity would send the message that the Administration lacks an adequate commitment to civil rights and minority farmers.

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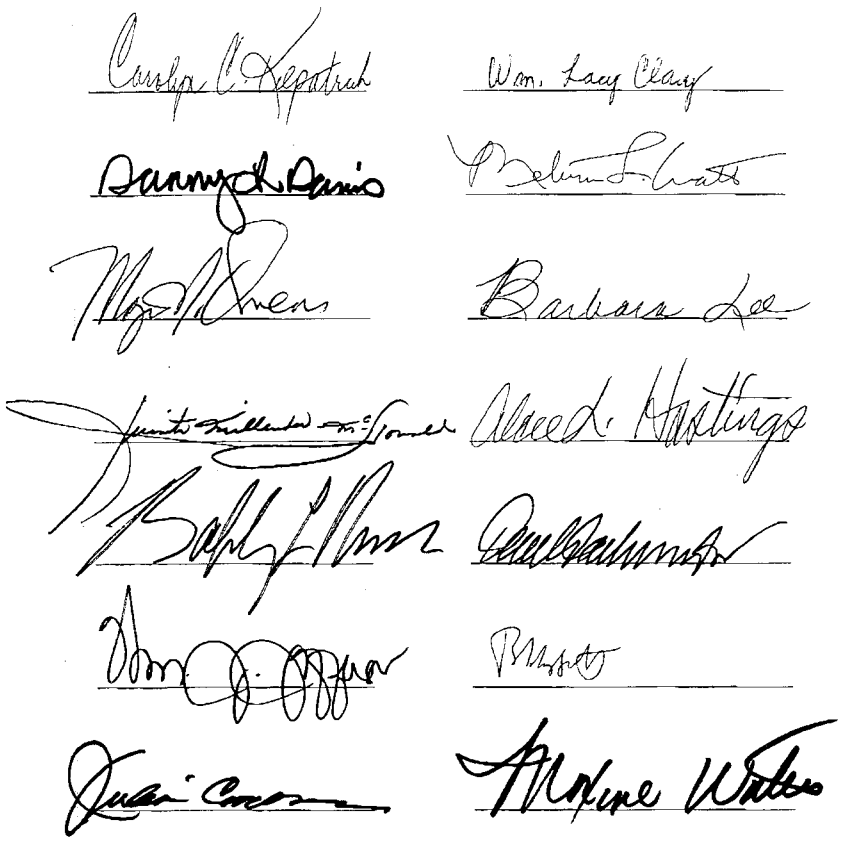
Additionally, we have reservations about reports that Mr. Dorr has proposed that the future of American farming lies in mega-farms of 225,000 acres. As the American agricultural sector becomes increasingly concentrated and mechanized, small and medium size farms are already finding it difficult to compete with larger and more powerful agricultural operations and interests. In recent decades small farmers, especially minority farmers, have slowly disappeared as our agricultural system has increasingly become dependant upon a small number of large farms.

As large farms have gained marketshare, there has been no commensurate improvement in the fortunes of small and medium farmers. If they are able to stay in business at all, many of these farmers are forced to fight for an ever dwindling share of the agricultural market. In addition, those who are unable to maintain the economic viability of their farms find themselves faced with limited off-farm employment and educational opportunities.

Rather than accepting the demise of the small farmer as a historical inevitability, it is critical that the Department of Agriculture seek ways in which to harness new and creative means by which to ensure that farms of all sizes can flourish. The future of rural America need not reside only in ever increasing economies of scale and market concentration. Rural America faces struggles that go considerably beyond the fields. Rather, it faces issues of crumbling infrastructure, lack of planning capacity, outmigration of youth, and a growing digital divide between urban and rural communities. Any policy for rural America which does not recognize the interplay of these many complex and intersecting concerns does rural America injustice.

As you move forward with the consideration of the nomination of Mr. Dorr for the Undersecretary of Rural Development at USDA, we urge you to carefully consider the concerns that we have enumerated here. In particular, we urge you to delay confirmation until you have an adequate satisfaction that Mr. Dorr has the requisite expertise and sensitivity to enable him to address the broad range of needs and issues facing rural America, particularly issues relating to ethnic diversity and small farms.

Sincerely,



Earl F. Hilliard

Congress of the United States

Washington, DC 20515

May 23, 2001

The Honorable Richard G. Lugar
Chairman
Committee On Agriculture Nutrition and Forestry
Russell Senate Office Building
Room 328A
Washington D.C., 20510-6000

Dear Chairman Lugar:

We are writing today to register our deep concern regarding the proposed nomination of Tom Dorr for the Undersecretary of Rural Development at the US Department of Agriculture. Recent developments have cast doubt upon the Mr. Dorr's ability to serve all American farmers in a way that is sensitive to their needs and struggles.

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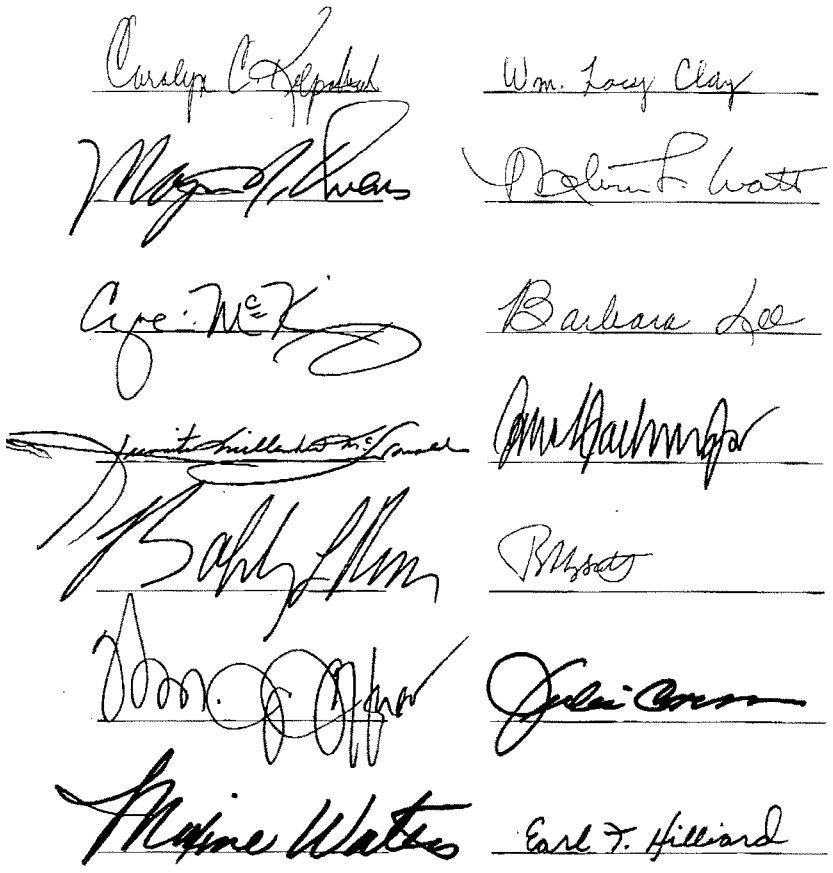
Rather than accepting the demise of the small farmer as a historical inevitability, it is critical that the Department of Agriculture seek ways in which to harness new and creative means by which to ensure that farms of all sizes can flourish. The future of rural America need not reside only in ever increasing economies of scale and market concentration. Rural America faces struggles that go considerably beyond the fields. Rather, it faces issues of crumbling infrastructure, lack of planning capacity, outmigration of youth, and a growing digital divide between urban and rural communities. Any policy for rural America which does not recognize the interplay of these many complex and intersecting concerns does rural America injustice.

As you move forward with the consideration of the nomination of Mr. Dorr for the Undersecretary of Rural Development at USDA, we urge you to carefully consider the concerns that we have enumerated here. In particular, we urge you to delay confirmation until you have an adequate satisfaction that Mr. Dorr has the requisite expertise and sensitivity to enable him to address the broad range of needs and issues facing rural America, particularly issues relating to ethnic diversity and small farms.

Sincerely,

Eddie Bernice Johnson Ina M. Clayton

Carrie P. Meek



Petition In Opposition to Thomas Dorr to Serve as USDA's Undersecretary of Rural Development

On Wednesday, February 13, 2002, Senator Tom Harkin (D-Iowa), Chair of the US Senate's Agriculture Committee, will hear testimony regarding Thomas Dorr, the selection of George W. Bush to serve as Undersecretary of Rural Development. Leon Crump, of the Federation of Southern Cooperatives/Land Assistance Fund, will testify at the hearing. Rural Development is critical to the sustainability of rural communities across the country. It is responsible, for example, for offering assistance on cooperative development, water systems, housing, rural business grants, empowerment zones and enterprise communities. This huge agency at the USDA has enormous responsibilities for setting the tone for development in rural America. Whoever serves as head of Rural Development needs to understand the needs of rural America, its unique diversity in terms of minorities, religion and cultures and that the strength of rural communities demands locally controlled, self-help diverse entities that develop and foster wealth and sustainability.

Thomas Dorr is not qualified to serve as the head of this important agency. He has stated that North Carolina, with its huge factory farms, should be the model for development. He supports, then, corporate controlled and highly concentrated agriculture rather than family farms which have been the backbone of American development and food safety. He is noted for saying that communities are economically stronger if they are not diverse in terms of race, religion and culture. His understanding of the needs of low-income and diverse communities across rural America are highly questionable and of concern to family farmers and minority communities.

To save and sustain our rural communities we are asking that you join us by signing this petition in opposition to Thomas Dorr, Bush's appointment for Undersecretary of Rural Development. Leon Crump will present the petitions at the hearing before the US Senate Agriculture Committee on Wednesday February 13, 2002.

Name	Address	City/State	Zip
Robert Hines	Route 1, Box 119	Belgreen AL	35443
Effie H Giles	1640 Shop Cork Ave	Fort Mitchell AL	36740
Elbert Charleston	CR Rd 12	Tuscaloosa AL	
Howard Giles	1640 Shop Cork Ave	Fort Mitchell AL	3674
Billy Neal	Rt 1, Box 119	Belgreen AL	35443
Stacy Robinson	601 E. Broadway St.	Florence AL	36732
Faith Neal	54 A	Belgreen AL	35655
Curtis Waites	Route 1 Box 119	Belgreen AL	35443
Eugene Hines	Route 1, Box 119	Belgreen AL	35443
Fidencio Dangwaya	P.O. Box 69	Edes AL	35460
Beulah Streeter	167 Cust Ln	Tuscaloosa	35401
Janet Jones	1104 Woodly Ave	Florence	29501

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Albany, Georgia, February 9, 2002 (404) 765 0991

Minority Insurance Agents

We are seeking the names Minority Insurance to help with crop insurance programs. If you know the name of a minority, perhaps one that you already are working with, please let us know. If possible, we would appreciate their names and contact information.

Statewide General Ins 601353-24-21 Jackson, MS
Porter Insurance Terry Rd Jackson MS
Alexander Mc/Mc 124 Tucker Rd. Spartanburg SC 29306

Petition In Opposition to Thomas Dorr to Serve as USDA's Undersecretary of Rural Development

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Name	Address	City/State	Zip
William M. Davis	P.O. Box	Dixie GA.	31629
Mary G. Davis	P.O. Box	Dixie, GA	31629
Alice Paris	1802 Franklin Rd	Tuskegee Institute, AL	36088
Melvin Bishop	331 Milledgeville Rd	EATONTON, GA	31024
Roger Lamar	331 Harmony Rd	Eatonton Ga	31024

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Name	Address	City/State	Zip
LaKista Mimbe	577 Federation Road	Epes, Al.	35460
Coraelius Key	Rt 2 Box 200	Henry, Ga	31762
John W. Dillmas	977 Johnstonville Rd	Fairmount, GA	30204

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Name	Address	City/State	Zip
James A Coleman	2448 Gibbs Bridge Rd	Albany	Ga 31073
Margie Coleman	2448 Gibbs Bridge Rd	Albany	Ga 31073
Regina Barber			
Stephen Parnmore			

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Name	Address	City/State	Zip
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
FRANK JONES JR	2246 Bobby Locke	DAWSON GA	31742
Corine George	Rte 4, Box 219	Blakely, Ga.	31723
Stephen George Jr.	Rte 4, Box 219-A	Blakely, Ga	31723
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]

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Name	Address	City/State	Zip
Joyce Walters	8181 Highway	Quitman Ga	31643
Yolanda Van Dyke	8181 Highway	Quitman GA	31643
Freddie L Taylor	Rt 3 Box 240	Blakely Ga	31723
Amos Wynn Jr	Rt 1 Box 881	Arlington Ga	
Cesar Perez	3703 Riverside	Ave Selma	AL 36703

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Name	Address	City/State	Zip
Bill Ruth Gale	916 Swamp Creek	Waycross	GA 31297

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Name	Address	City/State	Zip
Arnold Yourmans	950 Swamp Creek Rd.	Whigham, Ga.	31797

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Name	Address	City/State	Zip
Eunice Carter	966 Swamp Creek Rd	Whigham	Ga 31797

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Name	Address	City/State	Zip
John J Corker	957 Swamp Creek Rd	Whigham Ga	31797

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Name	Address	City/State	Zip
Flossie Green	3516 Hwy 158 W	Douglas Ga.	31533
Wayne Carter	3510 Hwy 158 W	Douglas Ga	31533
Larry Nesmith	3516 Hwy 158 W	Douglas Ga	31533
Juanita Green	3510 Hwy 158 W	Douglas, Ga.	31533
James Gray Jr.	4404 Laurel Pointe	Drive S. Lakeland, FL	33813
Willie Zell Gray	440 Ty Ty Sparks Rd	Ty Ty, GA	31795
Jonny L Jones	Rt 1 Box 40	Alapaha GA	31724
Roy Jones	104 Ferguson Ln	Alapaha GA	31724
John Murphy	6965 Dry Lake Road	Quitman	Georgia 31643
Lindy McNair	10-20-	Levans Creek Rd	Ashburnham. Ga 31797

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Name	Address	City/State	Zip
Felder G. Davis	1637 A Hwy 38 E	Andrews, GA	31709
Frances A. Troutman	P.O. Box 732	Fitzgerald, GA	31750
Rudolph Morris	# 3029 Morton Bend Rd. #	Rome, Ga.	30161-4160
Sherry Kemp	P.O Box 35	Calvary, GA	31729
Billie Pearl Adams	1013 Dwight A	Whigham	
Annette Pearson	120 Beverly Lane,	Bainbridge, GA	31717
Annie Lee Carter	952 Swamp Creek RD.	Whigham Ga.	31797
Marion Graham	2864-G Greenhaven Rd	Union Point, GA	30669
Kristy Hester-Andrews	2864 Greenhaven Rd	Union Point, GA	30669
Connie M. Tarver	729 Cotton Ave.	Albany Ga.	31701 - (436) 2399
Lawrence Dunn	5888 Co Rd 9	Clanton, AL	35045
Randy Brown	795 Co Rd. 20 W	Nauvoo al.	35601
Willard Barnes	1404 Co Rd 42	Marbury AL	36051
JERRY Cooper	2108 Co Rd 423	MARBURY AL	36051
Willie Bracy	708 Co Rd 150	Marbury al	36051
Calvin L Kamau	307 Barlow ct	Montgomery, al	36117
Devendolyn Dejree	1720 County Road 163	Marbury, AL	36051

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Name	Address	City/State	Zip
James Culley	4483 Flat Shoals Rd Apt. W-1	Union City, GA	30291
Nathaniel Smith	5228 Rockbridge Dr	Stone Mountain Ga	30087

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Name	Address	City/State	Zip
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Name	Address	City/State	Zip
H. J. Chaney	1015-Elm Pointe Rd.	Albany	31701

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Name	Address	City/State	Zip
Ronald Patten	181 Patten Rd	Ashburn Ga	31714
Adell	2894 Emerald Falls Ct	Decatur GA	30035
[illegible] Lawson	PO Box 739	Unadilla, Ga	31091
Robert Dubose	3685 Perry Rd	Unadilla, Ga	31091

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On Wednesday, February 13, 2002, Senator Tom Harkin (D-Iowa), Chair of the US Senate's Agriculture Committee, will hear testimony regarding Thomas Dorr, the selection of George W. Bush to serve as Undersecretary of Rural Development. Leon Crump, of the Federation of Southern Cooperatives/Land Assistance Fund, will testify at the hearing. Rural Development is critical to the sustainability of rural communities across the country. It is responsible, for example, for offering assistance on cooperative development, water systems, housing, rural business grants, empowerment zones and enterprise communities. This huge agency at the USDA has enormous responsibilities for setting the tone for development in rural America. Whoever serves as head of Rural Development needs to understand the needs of rural America, its unique diversity in terms of minorities, religion and cultures and that the strength of rural communities demands locally controlled, self-help diverse entities that develop and foster wealth and sustainability.

Thomas Dorr is not qualified to serve as the head of this important agency. He has stated that North Carolina, with its huge factory farms, should be the model for development. He supports, then, corporate controlled and highly concentrated agriculture rather than family farms which have been the backbone of American development and food safety. He is noted for saying that communities are economically stronger if they are not diverse in terms of race, religion and culture. His understanding of the needs of low-income and diverse communities across rural America are highly questionable and of concern to family farmers and minority communities.

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Name	Address	City/State	Zip
Theodore Nesmith	96 Honeysuckle	Nesmith, S.C.	29580
Henry E. Brapley	3801 Georgetown R.D.	Nesmith S.C.	29580
Sarah Adams	444 Rainbow DR	Georgetown, SC	29440
Mitra C Bryant	6400 Northpointe Pkwy	Jackson MS	39211
Meebah M. Smith	218 Peter McGee	Brandon, MS	39047
Kimberly Crosby	6210 Tank Rd	Terry MS	39170
Doris Parrott	263 Fredrick Ave	Jackson, MS	39209
Melvin Goldman	3211 18th Place	Tuscaloosa, AL	35401
John Green	205 Redrock Rd	Sylvester GA	31791
Translee Macklin			
Charlie Lee Key	Route 3 Box 154	Ivey, Georgia	31702
Carol Brown	423 Col Thomas Rd	Whigham Ga	31797
Lenate Brown	423 Col Thomas Rd	Whigham GA	31797
Mary L. Baines	423 Col Thomas Rd	Whigham Ga	31797
Richard Brown	423 Col Thomas	Whigham Ga	
Peter Bowen	226 Concord Rd	Bamberg S.C.	29541

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Name	Address	City/State	Zip
Victor Lester	370 Barrett Rd.	Hawkinsville, GA.	31036
Betty Lester	352 Barrett Rd.	Hawkinsville, GA	31036
Mark Lester JR	P.O. Box 94	Cliyhfield, GA	31013

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Name	Address	City/State	Zip
Margaret K Gaskin	1321 South Gaskin Ave	Douglas Ga	31533
Lizzie M Gaskin	1911 Old Columbus RD	Willacoochee Ga	31650
Zinet Gaskin	600 Kamera RD Lot 18		31533

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Name	Address	City/State	Zip
Maria Baird	6148 W. Post Oak	Jax FL	32277
Ruth Gilbreath	P.O. Box 147	Ty Ty, GA	31795
Lowe O. Thomas	842 Son Wright Rd	Dixie Ga.	31629
Gloria A. Thomas	842 Son Wright Rd.	Dixie, GA	31629

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Name	Address	City/State	Zip
Ruben Jones	4020 Joy Lake Rd.	Doris AR	31629
Theodore Spencer	PO 26	Dixie GA	31629

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Name	Address	City/State	Zip
Rev J I Mathis		Albany Ga	31708

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Name	Address	City/State	Zip
TERESA Jenkins	6430 Briarwood ct.	Riverdale,	Ga. 30296
ROSA Bundrys Sr.	1206 Tulane Ct	STN MTN	GA 30036
Yolanda L. VAN-DYKE	8181 Highway 84E	Quitman, ga	31643
Joyce T. WALTERS	8181 Highway 84E	Quitman, GA	31643
Willie Baker	902 Branch Rd	Albany, Ga	31705

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Name	Address	City/State	Zip
Ed Wilson	276 old Wilson Rd Loop	S.C.	29568
John C. Bang	56 Meadow Ln	Lake City, SC	29560
Barbara Edwards	520 Cedar Grove Rd	Scott SC	29902
Joseph Fields	2129 Fairbanks Johnsonville SC		29455
Leon Crump	P.O. Box 15607	Jeunity, SC	29506

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Name	Address	City/State	Zip
E. L. Cheney	1209 Cheney Rd.	Camilla Ga	31091
Robert Lyon	3469 ponderrd	Thomasville Ga.	31757
Bryan Williams	2858 Lawhorne Rd	Thomasville Ga.	31757
Walter Williams	2858 Lawhorne Rd	Thomasville Ga	31757
Lawry O'Neal	3882 Lawhorne Rd	Thomasville, Ga.	31757

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Name	Address	City/State	Zip
[illegible]	PO Box 279	Rehoboth, SC	29470
John Zippert	PO Box 82	Eutaw, AL	35462
Johnny Cannon	62 Cannon		3252
Carolyn Smith	P.O. Box 485	Ft. Gaines Ga	31751
S. P. Smith	Rt 1 Box 226	Blakely Ga	

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Name	Address	City/State	Zip
[signature]	1909 Dixon Drive	Albany, Ga.	31707

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Name	Address	City/State	Zip
Mary Ann Fadden	3698 Winnsboro Hwy 52	Salters	S.C. 29590
Barbara W. Thomas	648 Eastland Ave.	Florence	S.C. 29506

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Name	Address	City/State	Zip
Teresa Burgess	563 London	Lake City, SC	29560
Joann J. Burgess	516 Primrose Ave	Kingstree SC	29556
Maria B. London	32 Nelsen Rd	Kingstree S.C.	29556
Donald P. Summers	496 Twins Rd	Kingstree, SC	29556
Tonya Benton	426 Macon St.	Kingstree SC	29556
Rev. Edward McKnight	136 Williamsburg Ave	Lake City, SC	29560

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Name	Address	City/State	Zip
Eleanor Washington	528 Battery Park	Neamath, S.C.	29580
Joe Davis	525 Greenview Dr.	Darlington S.C.	29532
Phyllis M Davis	525 Greenview Dr.	Darlington SC	29532
Lydia Alston	17 Brown St.	Kingstree, S.C.	29556
Melissa Moore	PO Box 479	Kingstree SC	29556
Simone Meeks	PO Box 4511	Greenville SC	29606
Jordan & Williams	262 Mama Church	Salters	
Carolyn B. McCrea	PO Box 645	Kingstree, S.C.	29556
Rosa Mcclenton	P.O. Box 34	St. Stephen	SC 29479
Patty Davis	49 Belle Dr	Salters, S.C.	29590
Betty Brigman	696 Avon Rd	Sandpoint	SC 29556
Rita Tutty	892 Todd Rd	Kingstree	SC 29556
Lachelle Johnson	136 Izzard Rd	Salters	SC 29590
Stefanie Brown	50 Barr Rd	Kingstree	SC 29556
Louise Wagner		Kingstree	SC 29556
Kimberly McCullough	PO Box 215	Kingstree	SC 29556
Antoinette Woods	40 Nance St.	Kingstree	S.C. 29556

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Name	Address	City/State	Zip
Thelbert Cooper	2472 Cade Rd.	Lake City SC	29560
Dorothy Cooper	2120 Cade Rd.	Lake City, SC	29560
Barbara Cooper	2472 Cade Rd.	Lake City S.C	29560
Naomi L Dicks	344 Bradley Bay Rd	Lake City SC	29560
Thomas N Cooper	215 Ebenezer Rd	Lake City, S.C.	29560
Joyce Gordon	Rt. 3 3969 Graham Rd.	Lake City SC.	29560
Minnie M Dicks	344 Bradley Bay Rd	Lake City SC	29560
Ruth D. Nesmith	227 Bethany Church Rd	Nesmith S.C.	29580
Jimmy Cooper	4936 Cade Rd. Cades SC.		29518
Theodore R Cooper	215 Ebenezer Rd	Lake City SC	29560
Agnes A. Dicks	344 Bradley Bay Rd	Lake City SC	29560
Virginia M Cooper	2021 Cade Rd	Lake City, S.C.	29560
Ruby L Cooper	4936 Cade Rd	Cades SC	29518

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On Wednesday, February 13, 2002, Senator Tom Harkin (D-Iowa), Chair of the US Senate's Agriculture Committee, will hear testimony regarding Thomas Dorr, the selection of George W. Bush to serve as Undersecretary of Rural Development. Leon Crump, of the Federation of Southern Cooperatives/Land Assistance Fund, will testify at the hearing. Rural Development is critical to the sustainability of rural communities across the country. It is responsible, for example, for offering assistance on cooperative development, water systems, housing, rural business grants, empowerment zones and enterprise communities. This huge agency at the USDA has enormous responsibilities for setting the tone for development in rural America. Whoever serves as head of Rural Development needs to understand the needs of rural America, its unique diversity in terms of minorities, religion and cultures and that the strength of rural communities demands locally controlled, self-help diverse entities that develop and foster wealth and sustainability.

Thomas Dorr is not qualified to serve as the head of this important agency. He has stated that North Carolina, with its huge factory farms, should be the model for development. He supports, then, corporate controlled and highly concentrated agriculture rather than family farms which have been the backbone of American development and food safety. He is noted for saying that communities are economically stronger if they are not diverse in terms of race, religion and culture. His understanding of the needs of low-income and diverse communities across rural America are highly questionable and of concern to family farmers and minority communities.

To save and sustain our rural communities we are asking that you join us by signing this petition in opposition to Thomas Dorr, Bush's appointment for Undersecretary of Rural Development. Leon Crump will present the petitions at the hearing before the US Senate Agriculture Committee on Wednesday February 13, 2002.

Name	Address	City/State	Zip
Thomas B Cooper	1972 White Oak Rd	Kingstree, S.C.	29556
Ella J Cooper	73 Meadow Lane	Lake City, S.C.	29560
Evan L Wilson	736½ Davis St	Lake City, S.C.	29560
Joseph Brayboy Sr	2076 Oak Rd	Lake City, S.C.	29560
Pearl P Brayboy	2076 Oak Rd	Lake City, S.C.	29560
Yvonne W. Barnett	1500 F.M. Bethune Rd	Kingstree, S.C.	29556
Mr. Franklin R. Barnett	1500 F.M. Bethune Rd	Kingstree, S.C.	29556
Lonnie W. Cooper	P.O. Box 463	Johnsonville, SC	29555
Bridgett L Wilson	P O Box 463	Lake City, SC	29560
[illegible]			
Leroy Julian			

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Name	Address	City/State	Zip
Barbara Cooper	16 Fox Road	Kingstree SC	29556
Mary Cooper	1222 Ditchbank Rd	Cades, S.C.	29518
Hazel P. Cooper	1449 Deshelle Rd	Kingstree, SC.	29556
Ilessa D. Wilson	1544 Rolyllen Rd	Kingstree	29556
Edith Coats	119 Bradley Bay Rd	Effingham	29541
Jean McKnight	136 Williamsburg Circle	Hale City SC.	29560

Farmers Conference - Federation of Southern Cooperatives/ Land Assistance Fund
Albany, Georgia, February 9, 2002 (404) 765 0991

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Name	Address	City/State	Zip
[illegible]	2161 White Oak Rd.	Kingstree SC	29556
[illegible]	844 Red Top Rd	Kingstree SC	29556
[illegible]	65 Meadow Dr	Lake City SC	29560
[illegible]	2420 Cade Rd	Lake City SC	29560
[illegible]	2420 Cade Rd.	Lake City SC	29560
[illegible]	Lake City	SC.	29560
[illegible]	P.O. Box 379	Lake City SC	29560
[illegible]	1201 Hobell Rd	Kingstree S.C	29556

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Name	Address	City/State	Zip
Woodrow James	PO Box 193	Lake City	SC 29560
Jonnie J. Barr	253 Elon Church Rd	Nesmith	SC 29580
Bernice McClary	301 Livingston Ave	Kingstree	S.C. 29556
Nancy Gelzer	1145 Hagerville Rd.	Kingstree	S.C. 29556
Phillip Williams	1299 Rice Rd.	Nesmith	SC 29580
Fred J. Cooper	Woodington	1213 McMillan Rd	Scranton, S.C. 29591

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Name	Address	City/State	Zip
Mora P. Barr	56 Meadow Lane	Lake City, SC	29560
Mary M. Sadden	1324 Georgetown Rd	Hemingway SC	
Wendell Weaver	1324 Georgetown Rd	Hemingway SC	29554
Lizzie Williams	1324 Georgetown Rd	Hemingway SC	29554

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Name	Address	City/State	Zip
Cooper			
Howie Rod	2229 White Oak Rd	Kingstree,	SC 29556
Jerome C. Osborne	P.O. Box 785	Kingstree,	S.C. 29556
Julemon Monk	1267 Isabella Rd	Kingstree	S.C. 29556
Thomas Monk	1267 Isabella	Kingstree	SC 29556
Jack Cooper Jr.	1222 Pitch Bank Rd.	Cades,	S.C. 29518
Martha Gibson	52 Bamble Rd	Hemingway	SC 29554
Gladys Y. Murray	2389 S. Mt Hebron Rd,	Lake City	S.C. 29560
Carolyn D. Bom	241 Elm Tree Rd	Nesmith	SC 29580
C.H. Mc Knight	101 Jay R.D.	Gallivant	SC
Kelvin K. Butler	3304 White oak Rd	Lake City	S.C. 29560
Angela C. Butler	3304 White oak Rd	Lake City	S.C. 29560

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Name	Address	City/State	Zip
Elsie R. McKnight	#1373 Im Graham RD	Kingstree SC	29556
Edna F. Myers	337 Acacia ST	Lake City SC	
Jeanette Gore	241 Salem Rd	Lake City	29560
Mary Cooper	2021 Cades Rd	Lake City, SC	29560
Christine Cooks	3009 Arden Rd	Manning, SC	29102
Chloria Osborne	3029 Arden Rd	Manning, SC	29102
Randolph Barr	73 Meadow Lk Estates	Lake City, SC	

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Name	Address	City/State	Zip
Kenneth L McKnight	2360 Cadell Rd	Lake City	SC 29560
Mary M. Jackson	142 Century	Kingstree	S.C. 29556
Catherine Wood	142 Century	Kingstree	SC 29556
John B. McKnight	2366 Cadell Rd	Lake City	SC 29560
Tonka Cooper	P.O. Box 220	Olanta	SC 29113
Earl A Gourdine Sr.	2153 Cadell RD	Lake City	SC 29560
Regina Richardson	26 Deer Dance	Kingstree	SC 29556
Ollie Mae Knight	136 Williams Lake	Lake City	SC 29560
Ruth C. McKnight	1680 E.M. Graham Rd	Kingstree	SC 29556

Farmers Conference - Federation of Southern Cooperatives/ Land Assistance Fund
Albany, Georgia, February 9, 2002 (404) 765-0991

MARK DAYTON
MINNESOTA

COMMITTEES:
AGRICULTURE, NUTRITION, AND FORESTRY
ARMED SERVICES
GOVERNMENTAL AFFAIRS
RULES AND ADMINISTRATION

United States Senate
WASHINGTON, DC 20510–2305

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WASHINGTON, DC 20510
(202) 224-3244
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March 21, 2002

The Honorable Tom Harkin
Chairman
Committee on Agriculture, Nutrition, and Forestry
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

I write to express my very serious concerns regarding the nomination of Mr. Thomas C. Dorr for the post of the U.S. Department of Agriculture's Under Secretary for Rural Development. As you know, on the morning of his March 6th hearing before your Committee, *The Des Moines Register* published an investigative story that Mr. Dorr had been forced to repay the USDA's Farm Service Agency almost $17,000 for improper payments between 1983 and 1995. The news article also cited passages from a taped telephone conversation in 1995, reportedly between Mr. Dorr and his brother, in which Mr. Dorr stated that he was intentionally deceiving FSA's predecessor agency, the Agricultural Stabilization and Conservation Service, about his farming operation's financial arrangements with a family trust of which he was a trustee with the sole power of attorney.

In this taped conversation, Mr. Dorr informed his brother that he had certified it to be a "custom fee" arrangement, when, in fact, it was a "crop share" arrangement. The reason he did so was, he said, "To quite frankly avoid minimum payment limitations."

When his brother asked whether this reporting was legal, Mr. Dorr replied, "I have no idea if it's . . . I have no idea. I suspect if they'd audit and if somebody decided to come in and take a look at this thing, they could probably, if they really wanted to, raise hell with us . . . .

". . . Uh, that custom fee is actually not the custom fee. That's crop rental income to me. That's my share of the income . . . ."

According to *The Des Moines Register*, the ASCS received a complaint about this financial arrangement and subsequently received a copy of the reported tape. After their investigation of the financial arrangement with M.G. Dorr Irrevocable Family Trust for the years 1993 - 1995, the ASCS reportedly determined that it was a crop share arrangement, rather than a custom fee arrangement, which Mr. Dorr, acting with power of attorney for the trust, had certified to be the case.

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BEMIDJI, MINNESOTA 56708
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FAX: (218) 865-4667

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However, Mr. Dorr himself directly contradicts his certification in the taped conversation with his brother. In his own words, Mr. Dorr knowingly and intentionally misrepresented this farming arrangement in order, as he said, "to quite frankly avoid minimum payment limitations."

During my questioning of Mr. Dorr at the hearing, he contradicted his own reported statements during the taped conversation. He contended that the arrangement with the trust was a custom fee, rather than a crop share arrangement. At one point, he stated, "There was not a filing that we were a custom fee operation or anything like that." This assertion is at variance with his reported certifications annually to ASCS attesting to a custom fee arrangement. I subsequently noted that the M.G. Dorr Irrevocable Family Trust was originally established and operated and farmed in a contract share arrangement, until 1987 or 1988, when Mr. Dorr changed the report to a custom fee arrangement. Mr. Dorr responded, "That is correct, and that was at the request of my uncle. I did not initiate that."

When I asked him about the determination by FSA that the Trust was "in violation of shares" in 1993, 1994, and 1995, Mr. Dorr replied, "Well, Senator, I would simply reiterate that the county committee originally reviewed this, decided there was, in fact, no violation of shares. Then, ultimately, it was taken to the state committee by someone, I do not know who, when they determined – frankly, I view this matter, $17,000, it is not a huge some of money, and I look at it, to some extent, as a tax audit."

I replied, "Mr. Dorr, I look at it differently. I look at it, and I think any farmer in Minnesota who deals with these programs would look at it for what you, yourself, in these tapes said it was: a clearly intended attempt to violate, to circumvent, or to evade these payment limitations."

I continued, "I cannot imagine that somebody could be put in place of administering this agency, which is responsible for all of these programs, somebody who has devoted himself to try to circumvent the very regulations and laws which were set up just for this reason, and where you, yourself, knowingly falsified statements and documents that were submitted to the Federal Government, attesting to an arrangement that you, yourself, were saying at the time did not exist, that a different arrangement existed. That is how I view it, sir."

For some inexplicable reason, FSA reviewed only one trust for only the years 1993 through 1995. In his testimony, Mr. Dorr stated that there were actually seven different entities established by Dorr family members to own and operate approximately 2,200 acres of farmland in Iowa. During my questioning, he acknowledged that his farming operation had "the same arrangement" with the Harold Dorr Trust. Evidently, there are other trusts or entities, perhaps even more than seven, for which there have been no financial audits. Even the arrangement with the trust which was found to be in violation during three years was not further audited for the preceding years, since Mr. Dorr himself reportedly changed the certification from a crop share to

a custom fee arrangement.

Reportedly, an end of the year review (EOYR) was initiated regarding Mr. Dorr's own farming operation. However, there is evidently no record of that review being completed, nor is there any report thereof.

Based upon this very incomplete review, and given the definite and disturbing discrepancies cited in the one and only review to date, I believe very strongly, and I ask you, Mr. Chairman, that the Committee not vote on Mr. Dorr's nomination until all of these other financial entities and their financial transactions involving either the receipt of or the disbursement of federal payments through USDA programs have been reviewed during the years in question, approximately 1988 through 1995. I believe that a further review is necessary to ascertain that all these financial arrangements which were supposedly revised after the FSA determination, did in fact occur, and they have operated properly thereafter.

Regardless of these particular findings, Mr. Chairman, I remain deeply troubled by this nomination. However, I will reserve my final judgment until this important information is made known to me and to the other Members of this Committee.

Thank you in advance for your consideration of my request.

Sincerely,

Mark Dayton

Attachments

cc: Members, Committee on Agriculture, Nutrition, and Forestry
The Honorable Charles E. Grassley
The Honorable Ann M. Veneman, Secretary of Agriculture
Mr. Thomas C. Dorr

June 13, 2001

The Honorable Tom Harkin, Chair
Senate Committee on Agriculture, Nutrition and Forestry
U.S. Senate
Washington DC 20510

Dear Senator Harkin:

We are writing to express our profound opposition to the nomination of Thomas Dorr of Marcus, Iowa for undersecretary of agriculture for rural development. As groups dedicated to social, environmental and economic justice throughout rural America, we urge the Senate Agriculture Committee to oppose this nomination.

Our opposition to Thomas Dorr as undersecretary of agriculture for rural development is based on his most vocal stances: his corporate-oriented vision for U.S. agriculture, his resistance to sustainable agriculture, and his comments tying rural economic development to lack of ethnic and religious diversity.

Mr. Dorr told the New York Times in 1998 that his vision for the future of U.S. agriculture included 225,000-acre farm operations that were centrally managed. That would reduce rural America to one farm for every 350 square miles! This is why family farmers call him the poster boy for corporate agriculture.

Mr. Dorr has also repeatedly spoken out against USDA's extension services promotion of sustainable farming practices. His most vehement attacks were leveled against the Leopold Center's sustainable-agriculture programs that research alternatives to factory farms.

Additionally, in a recent article in the Des Moines Register, Dorr told economic development officials that lack of ethnic and religious diversity contributed to the success of prosperous rural counties.

The new undersecretary for rural development must support policies that ensure thriving and viable rural communities. Mr. Dorr's vision of 225,000 acre farms, his opposition to sustainable agriculture programs, and his contention that economic prosperity can be attributed to lack of ethnic and religious diversity, are the worst possible answers to the economic, social and environmental problems facing rural America.

As Chairman of the Senate Agriculture Committee and a national leader on agricultural issues, we are asking you to exert your leadership to support America's family farmers and rural communities and oppose Thomas Dorr's nomination.

Sincerely,

ACCORD Agriculture
Alliance for Democracy (Baltimore, Maryland Chapter)
Alliance for Democracy (St. Louis, Missouri Chapter)
Alliance for Sustainable Communities
American Agriculture Movement, Inc.
American Coalition for Ethanol
American Federation of Government Employees Local 3354 (Missouri)
Americans for Democratic Action
Americans for Safe Food
American Lands Alliance
Amo Organics
Animal Protection of New Mexico
Arkansas River Coalition
B.E.A.R. (New Jersey)
Broward County Green Party
Butte Environmental Council
C.A.S.A.del Llano/Communidades Aprovechando Sostenimiento en Agricultura(Texas)
California Sustainable Agriculture Working Group
Cattlemen's Legal Fund
Center for Food Safety
Center for Sustainable Systems
Chesapeake Wildlife Heritage (Maryland)
Citizens Action Coalition of Indiana
Citizens for a Future New Hampshire
Citizens for Humane and Wholesome Food (Illinois)
Citizens Who Care
Coalition of Concerned Citizens (Kansas)
Coalition to Preserve Family Farms (Diocese of Sioux City, Iowa)
Community Alliance With Family Farmers (California)
Community Farm Alliance (Kentucky)
Community Food Security Project
Community Nutrition Institute (Minnesota)
Community of Compassion
Concerned Citizens Coalition of Roane, Calhoun and Gilmer Counties
Concerned Citizens Committee of Southeast Ohio
Concerned Citizens of Central Ohio
Corporate Agribusiness Research Project
Cumberland Countians for Peace and Justice
Cure our River Environment
Dakota Resource Council (North Dakota)
Dakota Rural Action (South Dakota)
Dancing Rocks Permaculture Community
Dawson Resource Council (Montana)
Defenders of Wildlife
Delta Land Trust

Earth Action Network
Endangered Habitats League (California)
Family Farms for the Future
Farm Aid
The Farm Connection
Federation of Southern Cooperatives/ Land Assistance Fund
Fires of Hope
Florida Certified Organic Growers and Consumers, Inc.
Florida Coalition for Peace and Justice
Foundation for Global Community
Freedom Inc. (Missouri)
Georgia Citizens' Coalition on Hunger
Global Exchange
Global Resource Action Center for the Environment (New York)
Grass Roots Organizing (Missouri)
Greater Kansas City Fair Trade Coalition
Greater Kansas City Southern Christian Leadership Conference
Green Gold Hemp Trading Company
Green Living Now
Green Party of Pima County
Home Workers Organized for More Employment (Maine)
Hoosier Environmental Council
Idaho Rural Council
Illinois Humane PAC
Illinois Stewardship Alliance
Institute for Agriculture and Trade Policy
Iowa Citizen Action Network
Iowa Citizens for Community Improvement
Iowa Family Farm Coalition
Iowa Immigrant Rights Project
Iowa Organic Consumer/Grower Union
Iowa State Greens
Jobs With Justice
Kansas Rural Center
Kettle Range Conservation Group
L.A. Coalition to End Hunger and Homelessness
Land Loss Prevention Project (North Carolina)
Land Stewardship Project (Minnesota)
Louisiana Interchurch Conference
Loy's Station Neighborhood Alliance
Lumpkin Foundation
Lutheran Office for Public Policy in Wisconsin
Marion County Water Watch
McCone Agricultural Protection Organization (Montana)
Mid Nebraska Pride

Minnesota Project
Missouri Coalition for Global Justice
Missouri Farmers Union
Missouri Rural Crisis Center
MoKan Alliance for Democracy
Morton County Citizens for Responsible Government
Mothers for Natural Law (Iowa)
Mt. Vernon Concerned Citizens
NAACP - Des Moines, Iowa Chapter
National Campaign for Sustainable Agriculture
National Catholic Rural Life Conference
National Contract Poultry Growers Association
National Family Farm Coalition
National Farm Action Campaign
National Farm Crisis Center (Oklahoma)
National Farmers' Organization
National People's Action
Nebraska Farmers Union
The New England Small Farm Institute
New Hampshire Consumers Utility Cooperative
New Jersey Environmental Lobby
New Mexico Farmers Marketing Association
New York Sustainable Agriculture Working Group
North American Farm Alliance
North Central Florida Green Party
North Star Neighbors
Northern Plains Resource Council (Montana)
Northern Plains Sustainable Ag Society (North Dakota)
OBED Watershed Association
Ohio Family Farms Coalition
Operation Spring Plant
Organic Consumers Association
Organic Farmers Research Foundation
Organic Independents (Minnesota)
Organic Trade Association (Maryland)
Peace and Justice Action Network (Diocese of Sioux City, Iowa)
People for Environmental Action and Children's Health
Pesticide Action Network (California)
Powder River Basin Resource Council (Wyoming)
Promised Land Network
Protect Ferdinand's Rural Heritage
Protect Organic Campaign
Public Citizen
Rainbow Push Coalition
Rural Advancement Fund (South Carolina)

Rural Advancement Foundation International - USA
Rural Coalition
Rural Vermont
Sacramento Activists for Democratic Trade
San Luis Obispo Grandmothers for Peace
Sand Mountain Concerned Citizens
Sioux City Catholic Rural Life (Diocese of Sioux City, Iowa)
Sisters of the Presentation (San Francisco, CA.)
Social Concerns Department of Minnesota Catholic Conference
Solidarity Committee of the Capital District/Jobs With Justice
Sonoma Valley Voice - California
Southern Organizing Committee for Economic and Social Justice
Southern Rural Development Initiative
Southern Sustainable Agriculture Working Group (Arkansas)
Student Environmental Action Coalition (Southern Illinois University)
Sustainable Agriculture For Everyone (Indiana)
Sustainable Petaluma Network
Sustainable Sonoma County
Texas Organic Growers Association
United Church of Christ Network for Environmental and Economic Responsibility
United Farm Workers of America
United Poultry Concerns
Washington Tilth Producers
Western Organization of Resource Councils
Wisconsin Citizen Action

Cc: Members of the Senate Agriculture Committee

Congress of the United States

Washington, DC 20515

June 13, 2001

The Honorable Tom Harkin
Chairman
Committee on Agriculture, Nutrition and Forestry
Russell Senate Office Building – Room 731
Washington, DC 20510

Dear Chairman Harkin:

As members of the Congressional Hispanic Caucus we oppose the confirmation of Thomas Dorr for Undersecretary of Agriculture for Rural Development.

This opposition is not arbitrary, but based on reasonable concerns. Our opposition is based on Mr. Dorr's very vocal stances on his vision of farming and his resistance to sustainable agriculture. One of the biggest threats to independent producers, farm workers and rural communities is the growing corporate control of the nation's food production system. Thomas Dorr, if confirmed, would only speed that process. Mr. Dorr's vision of farming is a 225,000-acre operation – which is one farm for every 350 square miles and 656 times the size of an average farm. In addition, Mr. Dorr is a strong supporter of "Freedom to Farm" and other policies that have forced grain and livestock prices to record lows, cost taxpayers $60 billion in just the last two years, and are a threat to our air, our water, and our health.

In addition, in comments made publicly and reported in the Des Moines press, Dorr views ethnic and religious diversity as a stumbling block for economic progress. He claimed in a meeting in 1999 that three of Iowa's more prosperous counties do well economically because "they have been very non-diverse in their ethnic background and their religious background." These comments are puzzling, and raise concerns about his racial sensitivity.

The new Undersecretary of Rural Development must support a viable and equitable vision for our rural communities. Dorr's opposition to sustainable agriculture programs, support for corporate control of farms, and his contention that economic prosperity can be contributed to lack of ethnic and religious diversity are the worst possible answers to the economic, social and environmental problems facing farm workers and their communities in rural America. Based on Mr. Dorr's background, no wonder that both civil rights and farmer interest organizations have opposed him and his extreme corporate views and racial insensitivity.

The Congressional Hispanic Caucus, Latinos, farmers, and farmer organizations throughout the country oppose the confirmation of Thomas Dorr. What we need are USDA officials who represent family farmers, farmworkers, and sensible farm policies. Farmers from his own state and from throughout the country oppose his confirmation. We strongly oppose the confirmation of Mr. Thomas Dorr.

Sincerely,

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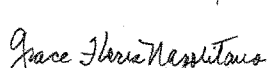
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Ciro D. Rodriguez
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Grace Flores Napolitano
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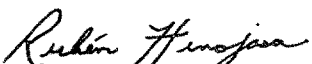
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Hilda L. Solis
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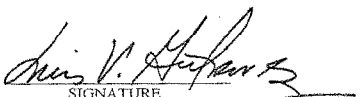
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Rubén Hinojosa
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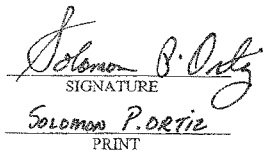
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Solomon P. Ortiz

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Aníbal Acevedo-Vilá

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Congress of the United States

Washington, DC 20515

June 13, 2001

The Honorable Richard Lugar
Ranking Member
Committee on Agriculture, Nutrition and Forestry
Russell Senate Office Building – Room 328A
Washington, DC 20510

Dear Senator Lugar:

As members of the Congressional Hispanic Caucus we oppose the confirmation of Thomas Dorr for Undersecretary of Agriculture for Rural Development.

This opposition is not arbitrary, but based on reasonable concerns. Our opposition is based on Mr. Dorr's very vocal stances on his vision of farming and his resistance to sustainable agriculture. One of the biggest threats to independent producers, farm workers and rural communities is the growing corporate control of the nation's food production system. Thomas Dorr, if confirmed, would only speed that process. Mr. Dorr's vision of farming is a 225,000-acre operation – which is one farm for every 350 square miles and 656 times the size of an average farm. In addition, Mr. Dorr is a strong supporter of "Freedom to Farm" and other policies that have forced grain and livestock prices to record lows, cost taxpayers $60 billion in just the last two years, and are a threat to our air, our water, and our health.

In addition, in comments made publicly and reported in the Des Moines press, Dorr views ethnic and religious diversity as a stumbling block for economic progress. He claimed in a meeting in 1999 that three of Iowa's more prosperous counties do well economically because "they have been very non-diverse in their ethnic background and their religious background." These comments are puzzling, and raise concerns about his racial sensitivity.

The new Undersecretary of Rural Development must support a viable and equitable vision for our rural communities. Dorr's opposition to sustainable agriculture programs, support for corporate control of farms, and his contention that economic prosperity can be contributed to lack of ethnic and religious diversity are the worst possible answers to the economic, social and environmental problems facing farm workers and their communities in rural America. Based on Mr. Dorr's background, no wonder that both civil rights and farmer interest organizations have opposed him and his extreme corporate views and racial insensitivity.

The Congressional Hispanic Caucus, Latinos, farmers, and farmer organizations throughout the country oppose the confirmation of Thomas Dorr. What we need are USDA officials who represent family farmers, farmworkers, and sensible farm policies. Farmers from his own state and from throughout the country oppose his confirmation. We strongly oppose the confirmation of Mr. Thomas Dorr.

Sincerely,

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Joe Baca

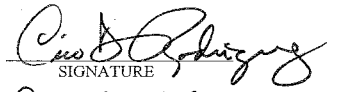
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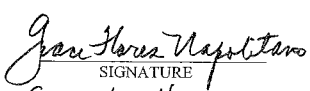
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Ciro D. Rodriguez

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Grace Flores Napolitano

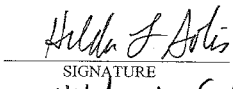
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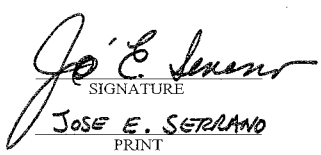
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Rubén Hinojosa

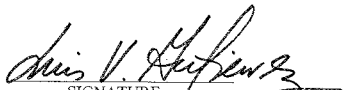
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Anibal Acevedo-Vila
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SOLOMON P. ORTIZ
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NCLR
NATIONAL COUNCIL OF LA RAZA

Raul Yzaguirre, President

National Office
1111 19th Street, N.W., Suite 1000
Washington, DC 20036
Phone: (202) 785-1670
Fax: (202) 776-1792
www.nclr.org

February 11, 2002

The Honorable Tom Harkin
Chair of Agriculture, Nutrition and Forestry
731 Russell Senate Office building
Washington, DC 20510

Dear Chairman Harkin:

On behalf of the National Council of La Raza (NCLR), the nations' largest Hispanic organization, I am writing to express my concern on the nomination of Thomas Dorr for Undersecretary of Agriculture for Rural Development. We live in an era in which agricultural growth depends on the interrelation between farmers and consumers of all races and ethnicities and among farmers regardless of their race, ethnicity, or farm size, yet Mr. Dorr's public positions are an anathema to this very crucial principle.

While the number of farmers in the United States continues to decline, Latino farmers are the fastest-growing segment of this population. A 1997 Census of Agriculture reported that 27,717 Latino farmers, a growth of 58% since 1978. Hispanic farmers in general are of small scale, with 69% cultivating between one and 179 acres.

Mr. Dorr has publicly announced that the success of three of Iowa's more prosperous counties depended on the fact that "they have been very non-diverse in their ethnic background." Comments like these pose an inevitable concern to the Latino community.

In addition, Mr. Dorr supports rapid corporate consolidation in agriculture. His vision of farming is a 225,000-acre operation – which is one farm for every 350 square miles and 656 times the size of an average farm. This posture causes a big threat to independent producers, farm workers and rural communities. Certainly, that type of thinking would mean the end in livelihood to nearly all Latino farmers.

It is imperative that the new Undersecretary of Rural Development be supportive of all farmers, regardless of the size of the farm or their ethnicity. NCLR urges your serious consideration of this information. If Mr. Dorr is indeed supportive of a less diverse farmer population and of large farms, I would urge you to reject his nomination.

Sincerely,

Raul Yzaguirre
President

cc. Senator Richard Lugar (R-IN)

WASHINGTON BUREAU
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
1025 VERMONT AVENUE, N.W. • SUITE 1120 • WASHINGTON, D.C. 20005
(202) 638-2269 FAX (202) 638-5936

The Honorable Tom Harkin
Chairman
Senate committee on Agriculture, Nutrition and Forestry
Senate Russell 328A
Washington, D.C. 20510

RE: NOMINATION OF MR. TOM DORR

Dear Chairman Harkin;

On behalf of the National Association for the Advancement of Colored People (NAACP), the nation's oldest, largest and most widely-recognized grass roots civil rights organization, I would like to express our strong concern over an executive branch nominee currently before your committee. Specifically, Tom Dorr, who has been nominated to serve as Undersecretary of Rural Development at the US Department of Agriculture, has been quoted as having questionable sensitivities to ethnic diversity and economic development.

As recently as May 10, 2001, the Des Moines Register quoted Mr. Dorr as saying,

> "This is not at all the correct environment to say this, but I think you ought to perhaps go out and look at what you perceive the three most successful rural economic environments in this state...you'll notice when you get to looking at them that they're not particularly diverse, at least not ethnically diverse...There's something there obviously that has enabled them to succeed very well."

Given the past problems the US Department of Agriculture has had with African American farmers in particular and ethnic minority Americans in general, it is surprising to us that a person who obviously has questionable views on the values or needs of ethnic minority Americans would be considered for any post at the USDA, let alone one of such significance as Undersecretary of Rural Development.

UNITED FARM WORKERS OF AMERICA, AFL-CIO
POLITICAL / LEGISLATIVE DEPARTMENT
1010 11th Street, Suite #305
Sacramento, CA 95814
Tele # 916.341.0612, Fax # 916.341.0401

February 8, 2002

Thomas Dorr, of Marcus, Iowa has been nominated for Undersecretary of Agriculture for Rural Development. As an organization dedicated to social and economic justice in America, with membership in Arizona, Texas, Washington State, and California, we are strongly reaffirming our opposition of this nomination. Furthermore, we recommend the Senate Agricultural Committee and the entire Senate to consider opposing his nomination as well.

The United Farm Workers of America bases its opposition of Thomas Dorr as Undersecretary of Rural Development on his most vocal stances on his vision of farming and his resistance to sustainable agriculture. One of the biggest threats to independent producers, farm workers and rural communities is the growing corporate control of the nation's food production system. Thomas Dorr, if confirmed, would only speed up this avarice process.

In addition, in comments made publicly and reported in the Des Moines press, Dorr views ethnic and religious diversity as a stumbling block for economic progress. He claimed in a meeting in 1999 that three of Iowa's more prosperous counties do well economically because "they have been very non-diverse in their ethnic and religious background". Such commentaries are not only bizarre, but also outright racist.

The new Undersecretary of Rural Development must support a viable and equitable vision of our rural communities. Dorr's opposition to sustainable-agriculture programs, support for corporate control of farms, and his contention that economic prosperity can be contributed to lack of ethnic and religious diversity are the worst possible answers to the economic, social, and environmental problems facing farm workers and their communities in rural America.

We are asking you to stand by America's farm workers, farming and rural communities and Oppose Thomas Dorr's confirmation.

Sincerely,

Rosalinda Guillen
UFW, National Vice President

¡Si Se Puede!

Founded by César E. Chavez (1927-1993)

League of United Latin American Citizens

Wednesday, February 06, 2002

NATIONAL PRESIDENT
Rick Dovalina

EXECUTIVE DIRECTOR
Brent A. Wilkes

NATIONAL OFFICERS
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Immediate Past President
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Juan Lopez
Youth President
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Juan E. Garcia
VP for Young Adults
Richard Pimbres
VP for Parental
Blanca Vargas
VP for Midwest
Regla Gonzalez
VP for Northeast
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VP for Southeast
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New Mexico
Eladeo Rivera
Puerto Rico
Dilka Roman
Tennessee
Margaret Moran
Texas
Leal Gonzalez
Virginia
Gregorio Montoto
Wisconsin

The Honorable Richard Lugar
3411 Hart Building
United States Senate
Washington, DC 20510

Dear Senator Lugar:

As the National President of the League of United Latin American Citizens (LULAC), I am writing you to express my grave concern regarding the nomination of Tom Dorr as undersecretary of agriculture for rural development at the US Department of Agriculture (USDA). My concerns are based primarily on a presentation made by Mr. Dorr at the Iowa State Seminar on Economic Development in 1999, where he expressed that "ethnic and religious uniformity" lead to economic prosperity.

First, as you well know, Latino workers are the backbone of the agricultural industry. Without them, we would not have food on our tables. It is precisely because of diversity that the industry is able to move forward. Second, minority farmers have traditionally had problems working with the USDA. This is attested to by the fact that the USDA reached a $1 billion settlement in 1999 on a class action suit filed by black farmers because they were consistently denied loans and discriminated against in subsidy programs. As head of rural development, Dorr will be responsible for housing, energy and other economic development programs in some of the nation's poorest and most ethnically diverse rural areas. This position must be filled by someone who is aware and responsive to the needs of minorities in the agriculture industry. In this area, Tom Dorr's stand on diversity is questionable at best.

We understand that Mr. Dorr is considered provocative and an innovator. However, those qualities must be mitigated with a clear understanding of responsibility to the constituents one serves. Latinos make up an overwhelming part of the agricultural and meatpacking workforce. We strongly believe that Mr. Dorr's views do not promote diversity and signal a potential insensitivity towards the issues faced by Latino farmworkers and farmers. We hope you will think long and hard before you vote in favor of Tom Dorr.

Sincerely,

Brent Wilkes
Executive Director

2000 L Street, NW, Suite 610 • Washington, DC 20036 • (202) 833-6130 • FAX (202) 833-6135 • http://www.LULAC.org

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO
80 F Street, N.W., Washington, DC 20001 • (202) 737-8700
FAX (202) 639-6490 • http://www.afge.org

Bobby L. Harnage
National President

Jim Davis
National Secretary-Treasurer

Andrea E. Brooks
Director, Women's & Fair Practices Department

8d/104548

June 8, 2001

The Honorable Tom Harkin
Chairman
Committee on Agriculture, Nutrition, and Forestry
U.S. Senate
SR-328A Russell Senate Office Building
Washington, DC 20510-6000

Dear Chairman Harkin:

On behalf of the American Federation of Government Employees, AFL-CIO, I am writing to express my deep concern regarding President Bush's nomination of Thomas Dorr to be Undersecretary of Rural Development at the U.S. Department of Agriculture. Recent developments have cast doubt upon Mr. Dorr's ability to serve all American farmers in a way that is sensitive to their needs and struggles.

First, I am concerned about the remarks made by Mr. Dorr at a December 11, 1999, seminar at Iowa State University in which he suggested a link between the economic success of three Iowa farm counties and their lack of ethnic and religious diversity. Mr. Dorr -- a successful farmer, a former member of the Board of Directors of the Federal Reserve Bank of Chicago, and a former member of the Iowa Board of Regents that governs the Iowa state universities -- said the following:

> "The other thing that's interesting to me, and I know this is not the correct environment to say this, but I think you ought to perhaps go out and look at, at what you perceive to be the three most successful rural economic [counties] in this state - Sioux County, Carroll County, and Lyon County. **And you'll notice when you get to looking at them that they're not particularly diverse. At least not ethnically diverse. They're very diverse in their economic growth, but they're very focused, have been very non-diverse in their ethnic background and their religious background and there's something there that has enabled them to succeed and to succeed very well.**" (emphasis added)

Given USDA's historic bias against minority farmers, as evidenced by its $1 billion settlement in 1999 of a class action bias suit filed by 1,000 black farmers, I am stunned to learn that the proposed nominee would express the belief that ethnic diversity and religious diversity are impediments to rural economic development. Indeed, Mr. Dorr's beliefs on diversity and development cause me to seriously question whether he has the requisite sensitivity to handle a federal government position in which he would be responsible for economic development programs in some of the nation's most ethnically diverse rural areas.

RDI

Claiming the place we call home

Southern Rural Development Initiative
128 E. Hargett St., Suite 202
Raleigh, NC 27601
phone: 919.829.5900
fax: 919.829.0504
e-mail: srdi@srdi.org

May 31, 2001

The Honorable Richard Lugar
Chairman, Senate Committee on Agriculture,
Nutrition, and Forestry
SH-306 Hart Senate Office Building
Washington, DC 20510-1401

Dear Senator Lugar,

On behalf of the Board of Directors and 34 member organizations of the Southern Rural Development Initiative, I write to urge you to reject the nomination of Thomas Dorr as Undersecretary for Rural Development in the United States Department of Agriculture.

SRDI's membership consists of community based economic development centers, financing institutions, and philanthropies that work in the poorest regions of the rural South. After reviewing Mr. Dorr's public record, it is now clear to us that he is an inappropriate choice for Undersecretary.

With the upcoming reauthorization of the Farm Bill, rural America stands at a crossroad. The Undersecretary for Rural Development must be a leader who can advocate the needs of rural America beyond agriculture commodity issues. Mr. Dorr, as a large scale farmer, brings no such leadership.

Rural America is racially and ethnically diverse, and it is clear that Mr. Dorr has neither empathy for nor interest in this reality. After reviewing the transcripts of his comments at the 1999 Iowa State Ag. Extension conference, it is impossible to conclude that his comments equating economic success and ethnic and religious "non-diversity" were taken out of context.

Outside of Appalachia, rural poverty and chronic underdevelopment is most pernicious in communities with high concentrations of minorities. The Black Belt South, rural Hispanic and American Indian communities in the West and

SRDI MEMBER ORGANIZATIONS

Rural Land Based Institutions
Arkansas Land & Farm Development Corporation
Brinkley, Arkansas

Boggs Rural Life Center
Reynolds, Georgia

Federation of Southern Cooperatives
Epes, Alabama

Franklinton Center at Bethe
Wheatland, North Carolina

North Carolina Indian Cultural Center
Pembroke, North Carolina

Penn Center
St. Helena Island, South Carolina

Community Development Financial Institutions
Appalshop/SEAD
Berea, Kentucky

Arkansas Enterprise Group
Arkadelphia, Arkansas

Center for Community Self-Help
Durham, North Carolina

Enterprise Corporation of the Delta
Jackson, Mississippi

North Carolina Community Development Initiative
Raleigh, North Carolina

North Carolina Minority Support Center
Durham, North Carolina

Statewide Support and Advocacy Organizations
Arkansas Association of CDC's
Little Rock, Arkansas

Georgia Community Development Association
Atlanta, Georgia

Louisiana Association of Community Economic Development (LACED)
Baton Rouge, Louisiana

North Carolina Association of CDC's
Raleigh, North Carolina

South Carolina Association of CDC's
Charleston, South Carolina

TNCED (Tennessee Network for Community Economic Development)
Nashville, Tennessee

Community Based Philanthropies
Appalachian Community Fund
Knoxville, Tennessee

Black United Fund of Memphis
Memphis, Tennessee

Community Shares of NC
Durham, North Carolina

Community Shares of Tennessee
Knoxville, Tennessee

CORA (Commission of Religion in Appalachia)
Knoxville, Tennessee

Foundation for the Mid-South
Jackson, Mississippi

Fund for Southern Communities
Atlanta, Georgia

Georgia Black United Fund
Atlanta, Georgia

Georgia Shares
Atlanta, Georgia

Comprehensive Community Development Organizations
Center for Rhetoric Options
Charleston, West Virginia

Delta CDC
Marvell City, Arkansas

Delta Foundation
Greenville, Mississippi

MACE
Greenville, Mississippi

MACED(Mountain Assoc. for Community Economic Development)
Berea, Kentucky

NC Coalition of Farm and Rural Families
Fayetteville, North Carolina

Quitman CDC
Marks, Mississippi

Southwest. A recent USDA Economic Research Service publication, *Rural America*, highlights conclusively that the economic boom of the 1990s has not significantly lifted these communities out of poverty. In the South alone, ERS reports, 90 percent of the region's 443 persistently poor counties remained so at mid-decade. An additional 110 of the region's other 580 nonmetro counties not categorized by USDA as being persistently poor saw county poverty rates rise above 20 percent. The majority of these counties have significant African American and Hispanic populations.

Addressing chronic poverty in rural America requires a USDA Rural Development Undersecretary who has interest in a diverse rural constituency, and experience in strategies and programs to serve their needs.. Mr. Dorr falls short on both counts. We urge you to reject his nomination.

Sincerely,

Bernard Mazyck,
President, SRDI Board of Directors

Deborah B. Warren
SRDI Executive Director

CC: Iowa Senator Tom Harkin, Ranking Minority Member, Senate Committee on Agriculture, Nutrition, and Forestry
Members of Senate Committee on Agriculture, Nutrition and Forestry
North Carolina Senator Jesse Helms
North Carolina Senator John Edwards
North Carolina Representative Eva Clayton
Congressional Black Caucus
Jason Gray, SRDI Policy Director
SRDI Board of Directors

WASHINGTON FARMWORKERS UNION

PO BOX 337 Granger, Washington 98932 (509) 854-2442
fax 509 854 2442

June 19, 2001

The Honorable Richard G. Lugar
Ranking Member
Committee On Agriculture, Nutrition, and Forestry
Russell Senate Office Building
Room 731
Washington D.C., 20510

Dear Senator Harkin:

We are writing today to register our profound opposition to the nomination of Tom Dorr for the Undersecretary of Rural Development at the US Department of Agriculture. As an organization that represents and advocates for farm workers in rural America, we urge the Senate Agriculture Committee and the entire U.S. Senate to oppose this nomination.

In particular, we are disturbed by recent remarks attributed to Mr. Dorr regarding ethnic diversity and economic development. On May 10, the DesMoines Register quoted Mr. Dorr as saying the following:

This is not at all the correct environment to say this, but I think you ought to perhaps go out and look at what you perceive the three most successful rural economic environments in this state....you'll notice when you get to looking at them that they're not particularly diverse, at least not ethnically diverse....There's something there obviously that has enabled them to succeed very well.

Given the past record of the United States Department of Agriculture on matters of ethnic diversity and civil rights, we are shocked to learn that the proposed nominee would express the belief that ethnic diversity is an impediment to economic growth. Mr. Dorr's nomination for a position that would require him to work in counties with extensive ethnic diversity makes it difficult for us to understand, much less reconcile ourselves to, such seemingly insensitive statements.

Additionally, we have reservations about reports that Mr. Dorr has proposed that the future of American farming lies in mega-farms of 225,000 acres. As the American agricultural sector becomes increasingly concentrated and mechanized, small and medium size farms are already finding it difficult to compete with larger and more powerful agricultural operations and interests. In recent decades small farmers, especially minority farmers, have slowly disappeared as our agricultural system has increasingly become dependant upon a small number of large farms.

As large farms have gained marketshare, there has been no commensurate improvement in the fortunes of small and medium farmers. If they are able

ever dwindling share of the agricultural market. In addition, those who are unable to maintain the economic viability of their farms find themselves faced with limited off-farm employment and educational opportunities.

Rather than accepting the demise of the small farmer as a historical inevitability, it is critical that the Department of Agriculture seek ways in which to harness new and creative means by which to ensure that farms of all sizes can flourish. The future of rural America need not reside only in ever increasing economies of scale and market concentration. Rural America faces struggles that go considerably beyond the fields. Rather, it faces issues of crumbling infrastructure, lack of planning capacity, outmigration of youth, and a growing digital divide between urban and rural communities. Any policy for rural America which does not recognize the interplay of these many complex and intersecting concerns does rural America injustice.

As you move forward with the consideration of the nomination of Mr. Dorr for the Undersecretary of Rural Development at USDA, we urge you to carefully consider the concerns that we have enumerated here. In particular, we urge you to delay confirmation until you have an adequate satisfaction that Mr. Dorr has the requisite expertise and sensitivity to enable him to address the broad range of needs and issues facing rural America, particularly issues relating to ethnic diversity and small farms.

Sincerely,

Daniel E. Martin
WFU President

ENGLEHART RANCH
Llewellyn and Karen Englehart
13981 Owen Lake Road
Meadow, SD 57644-7502
605/788-2239

June 27, 2001

The Honorable Richard Lugar
Committee on Agriculture, Nutrition, and Forestry
Russell Senate Office Building
Washington, DC 20510

Dear Senator Lugar:

We are writing to express our opposition to the nomination of Thomas Dorr of Marcus, Iowa for undersecretary of agriculture for rural development. As average sized cattle producers in a very rural area we urge the Senate Agriculture Committee to oppose this nomination.

We oppose Mr. Dorr based on his vocal support of a corporate vision for American agriculture. He openly suggests that farms be at least 225,000 acres in size, is opposed to sustainable agricultural practices, and has made comments tying rural economic development to lack of ethnic and religious diversity.

In our state 225,000 acres is equivalent to ten townships, or 60 square miles. That would be almost the size of our whole county, which is approximately 48 miles wide and 63 miles long. Huge factory farms did not work in the USSR and they will not be sustainable in the USA. It would put all of the family farmers and ranchers, which have provided quality food at very affordable prices for this nation since its beginnings in the 1600's. Is this the thanks we should receive? Being forced off our land and our way of life for feeding, clothing, and sheltering this nation? Has government lost sight of what has sustained this nation for over 200 years? Apparently it has for even considering the likes of Thomas Dorr for an agricultural appointment.

As a member of the Senate Agriculture Committee and a national leader on agricultural issues, we are asking that you use your leadership to support rural America, family farmers and ranchers, and rural communities. Oppose the nomination of Thomas Dorr!

Sincerely,

Llewellyn Englehart Karen Englehart

Llewellyn and Karen Englehart

NATIONAL FARM ACTION CAMPAIGN
2001 Forest Avenue, Des Moines, IA 50311 (515) 282-0484 FAX (515) 283-0231

June 21, 2001

To Whom It May Concern:

The National Farm Action Campaign sent a copy of the enclosed letter to Senator Harkin to each member of the Senate Agriculture Committee. The letter, signed by over 160 organizations representing farm, labor, civil rights, religious, environmental and consumer organizations, is to convey to members of the Senate Agriculture Committee the broad-based opposition to the nomination of Thomas Dorr as undersecretary for rural development at the United States Department of Agriculture.

If you would like to know of the organizations in your state that signed the letter to discuss with them this issue in more depth, please do not hesitate to call the National Farm Action Campaign's office at the number above.

On behalf of the National Farm Action Campaign,
Sincerely,

Mark Smith

Encl.

Steering Committee Organizations:
American Corn Growers Association, FARM AID, Federation of Southern Cooperatives, Indiana Citizens Action Coalition, Iowa Citizens for Community Improvement, Institute for Agriculture and Trade Policy, Missouri Rural Crisis Center, National Family Farm Coalition, Nebraska Farmers Union, Western Organization of Resource Councils.

June 13, 2001

The Honorable Tom Harkin, Chair
Committee on Agriculture, Nutrition and Forestry
Russell Senate Office Building
Washington DC 20510

Dear Senator Harkin:

We are writing to express our profound opposition to the nomination of Thomas Dorr of Marcus, Iowa for undersecretary of agriculture for rural development. As groups dedicated to social, environmental and economic justice throughout rural America, we urge the Senate Agriculture Committee to oppose this nomination.

Our opposition to Thomas Dorr as undersecretary of agriculture for rural development is based on his most vocal stances: his corporate-oriented vision for U.S. agriculture, his resistance to sustainable agriculture, and his comments tying rural economic development to lack of ethnic and religious diversity.

Mr. Dorr told the New York Times in 1998 that his vision for the future of U.S. agriculture included 225,000-acre farm operations that were centrally managed. That would reduce rural America to one farm for every 350 square miles! This is why family farmers call him the poster boy for corporate agriculture.

Mr. Dorr has also repeatedly spoken out against USDA's extension services promotion of sustainable farming practices. His most vehement attacks were leveled against the Leopold Center's sustainable-agriculture programs that research alternatives to factory farms.

Additionally, in a recent article in the Des Moines Register, Dorr told economic development officials that lack of ethnic and religious diversity contributed to the success of prosperous rural counties.

The new undersecretary for rural development must support policies that ensure thriving and viable rural communities. Mr. Dorr's vision of 225,000 acre farms, his opposition to sustainable agriculture programs, and his contention that economic prosperity can be attributed to lack of ethnic and religious diversity, are the worst possible answers to the economic, social and environmental problems facing rural America.

As Chairman of the Senate Agriculture Committee and a national leader on agricultural issues, we are asking you to exert your leadership to support America's family farmers and rural communities and oppose Thomas Dorr's nomination.

Sincerely,
Signed by over 160 organizations

THE WASHINGTON POST

THE FEDERAL PAGE

Farm Groups Assail USDA Choice

Views on Corporate Agriculture Spur Request to Block Nomination

By WILLIAM CLAIBORNE
Washington Post Staff Writer

CHICAGO, June 14—Emboldened by the newly empowered Democratic majority in the Senate, the family farm movement has launched a national campaign to block the confirmation of President Bush's nominee for the Agriculture Department's undersecretary for rural development because of his advocacy of corporate megafarms.

Thomas C. Dorr, a prominent Republican fundraiser, farmer and business executive in western Iowa, had already come under fire last month from black lawmakers and civil rights groups for comments that seemed to suggest a link between the economic success of three Iowa farm counties and their lack of ethnic and religious diversity.

Now more than 160 farm groups and their allies in the labor, environmental, civil rights and consumer movements have petitioned Sen. Tom Harkin (D-Iowa), the new chairman of the Senate Agriculture Committee, to block Dorr's confirmation. They say Dorr should be rejected not only because of his controversial statements about ethnic uniformity and prosperity but also because he has advocated a farm system that favors huge corporate agribusinesses at the expense of family farms.

"We all thought feudalism ended in the Middle Ages, but Dorr wants to bring it back," said Rhonda Perry, a hog farmer and member of the Missouri Rural Crisis Center, one of the family farm groups in the ad hoc coalition that wrote to Harkin. "The only role for farmers in Tom Dorr's vision is as serfs on their own land, providing labor for the giant agribusiness operations."

The focal point of the family farmers' criticism is a May 1998 article in the New York Times about Dorr's 3,800-acre, $2 million-a-year high-tech farm in Marcus, Iowa. In the article, Dorr envisioned a 225,000-acre operation sprawling over thousands of individual fields that might be owned by him or rented for cash or a share of the crop.

Dorr said such a megafarm could consist of three "pods," each with its own manager and sharing a computer-driven information system in a central planning facility. An efficient agricultural factory like that could keep 100-car freight trains running steadily to distant seaports, Dorr said.

During the December 1999 Iowa State Board of Regents meeting at which he made his controversial remarks about diversity and prosperity, Dorr chided Iowa for not following the example of North Carolina and other Southern states that have created giant, industrialized hog-raising factories. He said similar enterprises could develop in crop and livestock production.

Such talk is anathema to farmers such as George Naylor, who owns a 470-acre corn and soybean farm in Churdan, Iowa. He's a leader of the National Farm Action Campaign, a group battling to preserve small, family-owned farms that have been whipsawed in recent years by declining commodity prices and competition from big farm operations.

"Lots of young people here would like a chance to farm for themselves, but they can't do it against 225,000-acre farms like Dorr wants," Naylor said. "His idea of farming boggles everyone's mind. He's the kind of farmer a lot of people feel could take advantage of other people's misfortunes, like grabbing up their land when they're in trouble."

Dorr did not return phone calls today to his office and home. In a statement, the White House earlier urged Senate Agriculture Committee members to listen to Dorr during the confirmation hearing and avoid any "rush to judgment."



FILE PHOTO/DES MOINES REGISTER VIA ASSOCIATED PRESS

Thomas C. Dorr is to appear before the Senate Agriculture Committee.

Sen. Charles E. Grassley (R-Iowa) called Dorr "a progressive farmer who has worked hard to harness technology and improve agricultural operations in an increasingly competitive world market."

The coalition petitioning Harkin includes FARM AID, United Farm Workers of America, the National Campaign for Sustainable Agriculture, National Farmers Organization, National Catholic Rural Life Conference and National People's Action.

Harkin has not set a date for the confirmation hearing. An aide said the chairman "wants to go over everything carefully and not prejudge him so that we're assured a fair hearing."

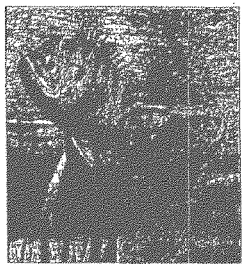
TIGER CLOSES IN AT THE MASTERS Sports

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DesMoinesRegister.com ■ The Newspaper Iowa Depends Upon ■ Price $1.50 April 8, 2001

Iowa fishing preview

Read tips on how to catch some of the 148 kinds of fish found in Iowa's waters. The state's diverse environment provides many challenges for anglers. The preview examines popular fish species, various types of bait and Iowa's waterways.
Page 8C



Bush nominee irks Iowa farmers

By JENNIFER DUKES LEE
REGISTER STAFF WRITER

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Marcus, Ia. — The Iowa farmer President Bush wants to lead the nation's rural development efforts couldn't get elected dog-catcher in his own hometown, many of his lifelong neighbors say.

Bush has nominated Thomas Dorr, 54, as the U.S. undersecretary for rural development. In his hometown of Marcus, farmers call Dorr the poster boy for corporate agriculture.

They say he would do nothing to preserve the small family farm. They fear Dorr would speed up trends of fewer farmers and bigger farms, rather than safeguarding independent farmers.

"He would be very counter to rural development, unless you would consider that rural development is one farmer in every county," said Verdell Johnson, a Republican and farmer who lives near neighboring Cleghorn. Johnson has known Dorr since he was a child.

Dorr, also a Republican, admits his nontraditional views and direct manner may occasionally get him into trouble. He said his critics are wrong to view him as an enemy of the family farm.

"I regret the fact that people perceive me as not being for family farms," Dorr said. "I think if they took a little time to know us and understand us better, it would be pretty clear that we are pretty passionate family farmers."

Widespread uneasiness with Dorr's views are setting the stage for what could be a bruising confirmation battle in the U.S. Senate. The debate over Dorr will be framed by a deep concern in rural America over the concentration of agricultural production in fewer and fewer hands.

See DORR, Page 4A



JENNIFER DUKES LEE/THE REGISTER

Auction announcement: Harold Russell, a retired farmer from Granville, inspects the notice of Thomas Dorr's farm-machinery auction planned for Wednesday.

Bush's nomination of Dorr irks Iowa's family farmers

DORR, from Page 1A

Dorr has shocked Iowa agriculture leaders and small-town farmers with his views on large-scale farming operations and with his attacks of the Iowa State University Extension Service, an outreach program that has helped Iowa's farmers become the most productive in the world.

On top of his controversial philosophies — which have been featured in The New York Times — some Iowans say Bush will have his hands full with a man they call self-centered and arrogant.

"Who are his friends? I don't think he's got any," said Marvin Pick, a retired farmer whose farm sits next to one of Dorr's farms. His adversaries offer measured praise. They describe Dorr as an intelligent, driven and successful farmer, but they don't want him helping set policies for rural America.

Broadly, the office is charged with helping improve the economy and quality of life in rural America.

Thomas Dorr



PARTY: Republican
AGE: 54.
HOME: Marcus.
EDUCATION: Morningside College in Sioux City, bachelor's degree.
CAREER: President of Pine Grove Farm in Marcus; former member of the Iowa Board of Regents; past member of the board of directors of the Federal Reserve Bank of Chicago.
RELIGION: Methodist.
FAMILY: Married; two adult children.

He riled many Iowans in 1998 when he told a New York Times reporter of his vision of a 225,000-acre farm operation. The average Iowa farm is closer to 350 acres.

pay their bills — a trend that has swept the nation.

"We all resent success," said Russell, the Granville farmer.

Dorr's successes locally have propelled him to prominence before. He was appointed by former Gov. Terry Branstad as a regent. He served on the board of directors for the Federal Reserve Bank of Chicago.

Dorr was a farm policy adviser for Bush during the last presidential campaign. His two grown children helped on the campaign. Dorr also has been a generous financial backer of Republicans in Iowa and Washington. Dorr gave Bush $2,000 toward his campaign in 1998.

Despite Dorr's loyalty to the party, even some fellow Republicans are wary of his appointment.

"He's arrogant, abrasive and self-centered," said Johnson, 64, the farmer who lives near Cleghorn. "He's not above walking over the top of somebody."

Pomerantz called Dorr "intense"

set policies for rural America.

Broadly, the office is charged with helping improve the economy and quality of life in rural America, which includes family farmers.

Sen. Charles Grassley, an Iowa Republican, has confidence in Dorr — "a progressive farmer who has worked hard to harness technology and improve agricultural operations in an increasingly competitive world market."



Scott Stanzel, a White House spokesman, said Dorr is well-qualified.

"The undersecretary . . . should be someone who is an innovative thinker, someone who understands issues of agriculture, trade, economic development and technology," Stanzel said. "Tom Dorr has a unique understanding of all those issues."

Soon, Dorr will head to Washington, D.C., for a hearing where he will face tough questions on how he plans to help the nation's rural residents.

So far, the toughest questions are coming from people not far from his front porch.

●

In a world of overalls and seed-corn caps, Tom Dorr has rarely been viewed as a typical Iowa farmer, even though his ancestors have farmed for several generations in Cherokee County.

Dorr's hair is neatly groomed. His fingernails are clean. Wearing a sweater in his office, he seems more suited for work inside an insurance company on casual Friday, rather than on a farm weeks before spring planting begins.

He lives in town, rather than on the farm where five full-time employees do much of the day-to-day work.

"I don't know if he could start a tractor and get it across the field," said Harold Russell, a retired farmer from nearby Granville.

Dorr said he does do some hands-on farm work, including starting and driving a tractor, though he relies heavily on his employees — a group of "very, very good people."

Dorr has a title: president and chief executive officer of Pine Grove Farm. His peers simply call themselves farmers.

He is at ease with computers and the English language, which he uses deftly to make his point.

Farmers credit the Dorr family with having the courage to try new products and techniques. The same family trait has opened Dorr up to criticism as well.

"I do tend to try new things; I do tend to verbalize new concepts," Dorr said. "And sometimes perhaps I shouldn't verbalize them as aggressively or as openly as I do. . . . It catches people off guard."

When he told a New York Times reporter of his vision of a 225,000-acre farm operation. The average Iowa farm is closer to 350 acres.

The operation would be "made up in three 'pods,' each with its own manager but sharing an information system back at farm headquarters," the Times wrote.

Local farmers and some agriculture experts say such an operation is corporate farming at its extreme and would put most Iowa farmers out of business.

If farms were 225,000 acres each, there would be fewer than 140 farms in Iowa, said Neil Hart, an ISU agricultural economist who described Dorr's philosophies as "frightening."

Dorr said his comments have been misinterpreted. The 225,000-acre operation would allow numerous individual farmers to work together under a single structure — not a single farm owner, he said.

"It's a creative attempt to keep people actively involved in their farming units, while giving them the advantages of newer technologies," Dorr said.

He said he was not advocating the elimination of Iowa farms. "This would allow them to be competitive in a nontraditional way," he said.

Dorr also may face senators' questions about his attacks on the ISU Extension Service. In 1995, Dorr said the service "was bogged down in tradition" and no longer served a useful purpose.

"He wouldn't fit my concept of rural development," said Dennis Keeney, former director of ISU's Leopold Center for Sustainable Agriculture.

He said Dorr, while serving on the Iowa Board of Regents, barged into the Leopold Center's campus offices and complained about sustainable-agriculture programs.

Keeney said ISU officials had to ask Marvin Pomerantz, the regents president at the time, to explain to Dorr that he needed an appointment.

"The regents can't just walk into an office and give you hell, but he was doing that," Keeney said. "You'd all of a sudden look up, and there he was. . . . He was badgering the staff."

Dorr declined comment on the incident, saying it served no purpose to argue in the media with Keeney.

●

Dorr's detractors and supporters say some of the hometown criticism stems from jealously.

"He has posed somewhat of a threat to small operators," said Rod Ogren, a Marcus farmer who supports Dorr's confirmation.

Dorr farms about 3,000 acres. While his operation has grown, many other Marcus farmers have had to take second or third jobs to

the farmer who lives near Creighorn. "He's not above walking over the top of somebody."

Pomerantz called Dorr "intense" and "interesting."

"He's willing to stand up for his position, even though it may not be popular," said Pomerantz, a Republican and West Des Moines businessman who declined to answer additional questions.

Kenny Letsche, who used to repair Dorr's John Deere tractors, added: "If he'd be up for a vote around here, he wouldn't stand a chance." Letsche said he would encourage senators to reject Dorr's confirmation.

Dorr said some of the criticism may be simply a matter of style. "Like any person, there are ways I could have handled things better," he said.

His supporters do not want him to apologize.

Robert Engel, executive vice president for Farmers State Bank in Marcus, defended Dorr as an intelligent man well-suited for the U.S. Department of Agriculture post.

Jon Dorr of Marcus said his older brother would work hard for the country. "They'll get their money out of Tom Dorr."

Ogren said Tom Dorr is an asset to Marcus. "The guy has got a lot of really good things about him. To have someone that comes from our community, right here in northwest Iowa, get this opportunity. I'm really proud of that."

●

By the looks of Dorr's farm, he is confident he will pull through the Senate hearing with a new job in Washington.

Dorr has lined up part of his farm-machinery fleet in the yard. The equipment will hit the auction block on Wednesday.

He has notified three of his full-time employees that they will no longer have jobs on the farm, although they will leave with severance packages, he said.

Dorr said he is not allowed to participate in farm-program payments and hold the USDA post at the same time, so he is making arrangements to have his land farmed by others.

Farmers say Dorr has spent a career treating his farm like a business, rather than a lifestyle. The approach has probably helped him remain afloat financially, but it has also made him the target of other farmers' ire.

But when the CEO talks about moving from his lifelong home in peaceful northwest Iowa to the fast-paced life inside the Washington beltway, he gets choked up.

"I'm a farmer," Dorr said. "I love going out every spring. I love smelling the dirt. There's really nothing more marvelous than to watch a seed open up and sprout.

"I'm gonna miss it."

The Des Moines Register

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FRIDAY
March 1, 2002

Dorr critics sue to get tape, documents linked to nomination

By JANE NORMAN
REGISTER WASHINGTON BUREAU

Washington, D.C. — An Iowa group sued the U.S. Department of Agriculture in federal court Thursday, seeking a tape recording and documents in connection with an Iowan nominated for a top post at the department.

Officials with the USDA in Washington did not respond to requests for comment.

Iowa Citizens for Community Improvement asked in its lawsuit for the immediate release of material connected with Thomas Dorr, a farmer from Marcus who was nominated by President Bush to be undersecretary for rural development at the agency.

The lawsuit, in U.S. District Court for the Southern District of Iowa, asks that the department be forced to release one or more audiotapes, transcripts of tapes or other records that "contain statements by Mr. Tom Dorr acknowledging that he had improperly sought and received improper federal farm subsidy payments."

Dorr's nomination hearing is set for Wednesday before the Senate Agriculture Committee.

Iowa CCI said that it filed a Freedom of Information request with the Farm Service Agency in Iowa on July 17 seeking records on Dorr and his farm corporation, Pine Grove Farms, including an audio tape of Dorr "admitting that he received funds he was not eligible for."

The USDA said it would grant part of the request but said in a Sept. 7 letter that no audio tapes or related records would be released because of the agency's "personal privacy" exception. Iowa CCI appealed and was denied the material a second time in December.

The Des Moines Register also filed a Freedom of Information request asking for similar information connected with Dorr, and that request was denied.

Iowa CCI is acting in the lawsuit on behalf of a coalition of farm groups that have actively opposed the Dorr nomination. Dorr's comments on large farms and on connections between economic development and a lack of diversity in rural Iowa have stirred opposition.

Dorr has not been available to reporters since his nomination, although agriculture department and White House officials have said he is eager to make his case before the Senate Agriculture Committee.

"We are taking this to the courts because the American people have a right to know if their government officials, elected or nominated, have abused taxpayer-funded programs," said George Naylor, a CCI member and Churdan farmer who is expected to testify at the Dorr hearing.

Aides to Senate Agriculture Committee Chairman Tom Harkin, D-Ia., said the committee does not have a copy of the audio tape in question, although Harkin has been allowed to review some confidential documents from the agriculture department's Office of the Inspector General. Aides would not elaborate on those documents.

Harkin met Thursday for about 45 minutes with Dorr.

Reporter Jane Norman can be reached at (202) 906-8137 or norman@news.dmreg.com

The Des Moines Register GC June 29, 2001 NATIONAL NEWS

Hispanic Caucus opposes Dorr's confirmation

By GEORGE ANTHAN
REGISTER WASHINGTON BUREAU

Washington, D. C. — Members of the Congressional Hispanic Caucus oppose the confirmation of Iowan Thomas Dorr to a high Agriculture Department post, they said in a letter Thursday.

The letter, to Agriculture Committee Chairman Tom Harkin of Iowa, said Dorr would be "bad for farmers" and others in agriculture.

Fifteen members of the caucus also sent the letter to ranking GOP member Richard Lugar of Indiana calling for the committee to reject the nomination of Dorr, a Marcus, Ia., farmer and businessman.

They joined members of the Congressional Black Caucus, officials of the NAACP and the Black Farmers Association and the National Farm Action Campaign in raising concerns over Dorr's nomination by President Bush to be undersecretary of agriculture for rural development.

Dorr has suggested that the economic success of some rural areas in Iowa might be tied to their lack of ethnic and religious diversity. Also, he has spoken approvingly of large, industrialized farming operations.

The Hispanic Caucus said its opposition to Dorr "is not arbitrary, but based on reasonable concerns. Our opposition is based on Mr. Dorr's very vocal stances on his vision of farming and his resistance to sustainable agriculture."

Rep. Silvestre Reyes, a Texas Democrat and chairman of the Hispanic Caucus, said Dorr's beliefs "disregard the contributions of thousands of Hispanic and minority farmers and farm workers to our nation's rural economies."

Harkin has also received a letter from officials of five Iowa farm organizations stating that a committee hearing on the issue "is essential to present an accurate view of Mr. Dorr's record and to fully examine his qualifications for this position."

The letter was signed by officials of the Iowa Cattlemen's Association, Iowa Farm Bureau, Iowa Soybean Association, Iowa Corn Growers Association and Iowa Pork Producers Association.

These groups asked Harkin to "allow for all viewpoints to be heard during this process." They added, "As Iowans, we believe he should be given fair and ample opportunity to make his case."

The Agriculture Committee has not set a hearing on Dorr's confirmation. "Because of the controversy surrounding him, there are a lot of problems," Harkin has said. "I think the hearing process would be long and involved." He emphasized the committee already has a heavy schedule of hearings on the 2002 farm bill.

TOM HARKIN, IOWA
CHAIRMAN
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THOMAS A. DASCHLE, SOUTH DAKOTA
MAX BAUCUS, MONTANA
BLANCHE LINCOLN, ARKANSAS
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MARK DAYTON, MINNESOTA
PAUL WELLSTONE, MINNESOTA

United States Senate

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TIM HUTCHINSON, ARKANSAS
MIKE CRAPO, IDAHO

May 17, 2002

The Honorable Ann M. Veneman
Secretary of Agriculture
200-A Jamie L. Whitten Building
Washington, DC 20515

Dear Secretary Veneman:

Thank you for your phone call yesterday. To follow up on one of the matters we discussed, I appreciate your understanding that, given the intense work required by the farm bill conference, the Committee has not had the opportunity to take further formal action on the nomination of Thomas Dorr to the position of Under Secretary of Agriculture for Rural Development.

I certainly appreciate your interest in having an Under Secretary for Rural Development confirmed. However, as you recall there were substantial questions raised at Mr. Dorr's nomination hearing and in later correspondence that will need to be answered before proceeding further.

To my knowledge no response has been provided to the questions in Senator Dayton's letter dated March 21, 2002. If that is indeed the case, I would appreciate your sending to Senator Dayton and to the Committee answers to the questions raised in his letter. Although you and Mr. Dorr were copied on the original letter you will find a copy of Senator Dayton's letter attached for your information. An expeditious response to Senator Dayton's request will greatly assist the Committee in completing its consideration of the nomination.

Thank you in advance for your time and attention to this matter.

Sincerely yours,

Tom Harkin
Chairman

cc: The Honorable Richard Lugar

Attachment

MARK DAYTON
MINNESOTA

COMMITTEES:
AGRICULTURE, NUTRITION, AND FORESTRY
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WASHINGTON, DC 20510-2305

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March 21, 2002

The Honorable Tom Harkin
Chairman
Committee on Agriculture, Nutrition, and Forestry
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

I write to express my very serious concerns regarding the nomination of Mr. Thomas C. Dorr for the post of the U.S. Department of Agriculture's Under Secretary for Rural Development. As you know, on the morning of his March 6th hearing before your Committee, *The Des Moines Register* published an investigative story that Mr. Dorr had been forced to repay the USDA's Farm Service Agency almost $17,000 for improper payments between 1983 and 1995. The news article also cited passages from a taped telephone conversation in 1995, reportedly between Mr. Dorr and his brother, in which Mr. Dorr stated that he was intentionally deceiving FSA's predecessor agency, the Agricultural Stabilization and Conservation Service, about his farming operation's financial arrangements with a family trust of which he was a trustee with the sole power of attorney.

In this taped conversation, Mr. Dorr informed his brother that he had certified it to be a "custom fee" arrangement, when, in fact, it was a "crop share" arrangement. The reason he did so was, he said, "To quite frankly avoid minimum payment limitations."

When his brother asked whether this reporting was legal, Mr. Dorr replied, "I have no idea if it's . . . I have no idea. I suspect if they'd audit and if somebody decided to come in and take a look at this thing, they could probably, if they really wanted to, raise hell with us . . . .

". . . Uh, that custom fee is actually not the custom fee. That's crop rental income to me. That's my share of the income . . . ."

According to *The Des Moines Register*, the ASCS received a complaint about this financial arrangement and subsequently received a copy of the reported tape. After their investigation of the financial arrangement with M.G. Dorr Irrevocable Family Trust for the years 1993 - 1995, the ASCS reportedly determined that it was a crop share arrangement, rather than a custom fee arrangement, which Mr. Dorr, acting with power of attorney for the trust, had certified to be the case.

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However, Mr. Dorr himself directly contradicts his certification in the taped conversation with his brother. In his own words, Mr. Dorr knowingly and intentionally misrepresented this farming arrangement in order, as he said, "to quite frankly avoid minimum payment limitations."

During my questioning of Mr. Dorr at the hearing, he contradicted his own reported statements during the taped conversation. He contended that the arrangement with the trust was a custom fee, rather than a crop share arrangement. At one point, he stated, "There was not a filing that we were a custom fee operation or anything like that." This assertion is at variance with his reported certifications annually to ASCS attesting to a custom fee arrangement. I subsequently noted that the M.G. Dorr Irrevocable Family Trust was originally established and operated and farmed in a contract share arrangement, until 1987 or 1988, when Mr. Dorr changed the report to a custom fee arrangement. Mr. Dorr responded, "That is correct, and that was at the request of my uncle. I did not initiate that."

When I asked him about the determination by FSA that the Trust was "in violation of shares" in 1993, 1994, and 1995, Mr. Dorr replied, "Well, Senator, I would simply reiterate that the county committee originally reviewed this, decided there was, in fact, no violation of shares. Then, ultimately, it was taken to the state committee by someone, I do not know who, when they determined – frankly, I view this matter, $17,000, it is not a huge some of money, and I look at it, to some extent, as a tax audit."

I replied, "Mr. Dorr, I look at it differently. I look at it, and I think any farmer in Minnesota who deals with these programs would look at it for what you, yourself, in these tapes said it was: a clearly intended attempt to violate, to circumvent, or to evade these payment limitations."

I continued, "I cannot imagine that somebody could be put in place of administering this agency, which is responsible for all of these programs, somebody who has devoted himself to try to circumvent the very regulations and laws which were set up just for this reason, and where you, yourself, knowingly falsified statements and documents that were submitted to the Federal Government, attesting to an arrangement that you, yourself, were saying at the time did not exist, that a different arrangement existed. That is how I view it, sir."

For some inexplicable reason, FSA reviewed only one trust for only the years 1993 through 1995. In his testimony, Mr. Dorr stated that there were actually seven different entities established by Dorr family members to own and operate approximately 2,200 acres of farmland in Iowa. During my questioning, he acknowledged that his farming operation had "the same arrangement" with the Harold Dorr Trust. Evidently, there are other trusts or entities, perhaps even more than seven, for which there have been no financial audits. Even the arrangement with the trust which was found to be in violation during three years was not further audited for the preceding years, since Mr. Dorr himself reportedly changed the certification from a crop share to

a custom fee arrangement.

Reportedly, an end of the year review (EOYR) was initiated regarding Mr. Dorr's own farming operation. However, there is evidently no record of that review being completed, nor is there any report thereof.

Based upon this very incomplete review, and given the definite and disturbing discrepancies cited in the one and only review to date, I believe very strongly, and I ask you, Mr. Chairman, that the Committee not vote on Mr. Dorr's nomination until all of these other financial entities and their financial transactions involving either the receipt of or the disbursement of federal payments through USDA programs have been reviewed during the years in question, approximately 1988 through 1995. I believe that a further review is necessary to ascertain that all these financial arrangements which were supposedly revised after the FSA determination, did in fact occur, and they have operated properly thereafter.

Regardless of these particular findings, Mr. Chairman, I remain deeply troubled by this nomination. However, I will reserve my final judgment until this important information is made known to me and to the other Members of this Committee.

Thank you in advance for your consideration of my request.

Sincerely,

Mark Dayton

Attachments

cc: Members, Committee on Agriculture, Nutrition, and Forestry
The Honorable Charles E. Grassley
The Honorable Ann M. Veneman, Secretary of Agriculture
Mr. Thomas C. Dorr



THE SECRETARY OF AGRICULTURE
WASHINGTON, D.C.
20250-0100

May 28, 2002

The Honorable Tom Harkin
Chairman
Senate Committee on Agriculture, Nutrition & Forestry
731 Senate Hart Building
Washington, D.C. 20510

Dear Mr. Chairman:

I am responding to your letter of May 17, 2002 regarding the pending nomination of Tom Dorr as Under Secretary of Agriculture for Rural Development.

While the March 21, 2002 letter from Senator Dayton that you reference appears to repeat much of what has already transpired during extensive Committee hearings, interviews and one-on-one meetings with you and other members, we did ask our Inspector General and Farm Services Agency to examine the request.

The Inspector General has concluded that the information you are requesting has already been provided and made available during this very long confirmation process and through in-depth investigations. As the attached letter from the Inspector General indicates, a full and thorough investigation has been conducted regarding the matters pertaining to Mr. Dorr and the Inspector General considers this matter closed. The Inspector General is the independent branch of USDA that investigates matters such as this and I am sure you trust their judgment regarding these types of issues.

Mr. Chairman, earlier this year, you stated that you would move forward with Mr. Dorr's nomination once the new farm bill was completed. However, in our telephone conversation last week, you expressed concern about whether Tom Dorr should be confirmed in this position. I strongly disagree and ask that you schedule a Committee vote on his nomination as soon as possible. As you know, Tom has spent his entire life living and working in rural Iowa. This Department needs Tom's leadership in Rural Development.

The coming months will be a critical time for USDA as we begin implementation of the farm bill. We are committed to a timely and efficient process, but we need Tom's leadership in order to implement programs that are important to Iowa and all of rural America, such as the Rural Strategic Investment Program, Renewable Energy Systems, Rural Business Investment Program, and ethanol promotion programs.

The Honorable Tom Harkin May 28, 2002

President Bush nominated Tom Dorr more than one year ago. He is a good man and a fair person – the type you would expect from Iowa. And, I have no doubt that Tom will be a good steward of the programs that provide a great deal of investment in rural communities not only in your state, but throughout the United States.

Mr. Chairman, I appreciate the cooperative relationship we have with the Committee and will continue to work with you and other members on important food and agricultural issues. However, each day that passes without a vote, raises fairness questions as to why the Committee will not move forward on this nomination. I would ask that you give Tom Dorr the opportunity to serve and I strongly urge the Committee to immediately act on his nomination.

Sincerely,

Ann M. Veneman

Attachment

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF INSPECTOR GENERAL
Washington D.C. 20250

May 28, 2002

INFORMATIONAL MEMORANDUM FOR THE SECRETARY

FROM: Joyce N. Fleischman
Acting Inspector General

SUBJECT: Thomas Dorr, Marcus, Iowa

This memorandum will highlight the Office of Inspector General's inquiries concerning Thomas C. Dorr, and his participation in Farm Service Agency (FSA) programs.

Based on a confidential Hotline complaint, which alleged that Mr. Dorr admitted on an audiotape that he had received FSA program funds for which he was not eligible, OIG conducted a preliminary inquiry to determine if there was predicate to open a criminal investigation of the matter. Our inquiry included an analysis of FSA farm files at the Iowa State FSA office related to Dorr and all known Dorr-related entities for the years 1993-2001, and an analysis of any available Year-End Review records covering 1993, 1994 and 1995. The results of OIGs initial inquiry were given to FSA with a request that FSA conduct further analysis of Mr. Dorr's participation in FSA programs. The FSA review was initiated in September 2001, and ultimately included Year-End Reviews for 1994, 1995 and 2000. FSA completed its review in December 2001. Based upon the information developed in this matter, the United States Attorney's Office for the Northern District of Iowa, Sioux City office declined to prosecute.

OIG did not investigate Mr. Dorr's program participation for the years 1988-1992 primarily because there were no allegations or specific references made to these years in the original Hotline Complaint, nor was any information developed during the course of the preliminary inquiry to cause us to expand our review. We feel we have investigated the matters referred to OIG concerning Mr. Dorr fully and consider this case to be closed. To date, there is no new evidence to warrant reexamination nor the need to open a new investigation.

TOM HARKIN, IOWA
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United States Senate
COMMITTEE ON
AGRICULTURE, NUTRITION, AND FORESTRY
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TIM HUTCHINSON, ARKANSAS
MIKE CRAPO, IDAHO

June 6, 2002

The Honorable Ann M. Veneman
Secretary of Agriculture
200-A Jamie L. Whitten Building
Washington, D.C. 20250

Dear Secretary Veneman:

Thank you for your letter dated May 28, 2002 regarding the nomination of Tom Dorr as Under Secretary of Agriculture for Rural Development. With the hope of moving this matter to resolution, I would like to clarify relevant facts and the status of responses to the Committee's questions.

To recap what is established, for many years, Mr. Dorr, operating through Dorr's Pine Grove Farms (of which he was sole owner), conducted farming operations on land held by the Melvin Dorr Trust and the Harold Dorr Trust. In some of the earlier years, the arrangements were represented to USDA by Mr. Dorr as crop share leases but at some later point he represented them as involving custom farming by Dorr of the trusts' land.

The Farm Service Agency (FSA) conducted a year-end review on the Melvin Dorr Trust for the years 1994 and 1995 in calendar year 1996. In 2001 the FSA conducted a year-end review on the Harold Dorr Trust for 1994 and 1995. In both reviews, it was concluded that the arrangement between Mr. Dorr's Pine Grove Farms and each of the trusts "was a crop share arrangement, not the custom farming arrangement it was represented to be." The trusts were required to repay some $17,000 in farm program payments that they had improperly received for those years because of the "erroneous representation" to USDA by Mr. Dorr, who also served as a trustee of each of the trusts.

The conclusion that the arrangements were crop share leases rather than custom farming is supported by information before FSA and now before the Committee. For example, the payment to Dorr, through Dorr's Pine Grove Farms, was similar to amounts that would have been received through a crop share arrangement and far above normal and usual custom farming fees. In addition, in a tape recorded telephone conversation, Mr. Dorr said, "Besides those two machine charges [combining and hauling grain to the elevator], everything else is done on a 50-50 normal crop-share basis." He also said, "that custom fee is not a custom fee. That's crop rental income to me. That's my share of the income." Regarding the reason the arrangements were set up in this manner and represented to USDA as custom farming, Mr. Dorr said it was to "avoid a 50,000-dollar payment limitation to Pine Grove Farms." At another point Mr. Dorr

said, "I, we filed the way the farm, the trust land, both for the Melvin Dorr Trust and the Harold Dorr Trust are operated with the ASCS, to quite frankly avoid minimum [sic] payment limitations. OK?" Evidently, these arrangements and representations to USDA would direct farm program payments through the trusts that would have otherwise normally under a crop share arrangement gone directly to Mr. Dorr through Dorr's Pine Grove Farms. As to Mr. Dorr's understanding of the propriety of the arrangements and representations, he said, "I suspect if they'd audit, and if somebody decided to come in and take a look at this thing, they could probably, if they really wanted to, raise hell with us."

Because of the evidence of misrepresentation to FSA in connection with the effort to avoid payment limitations, the Committee was and is keenly interested in determining whether there may be other instances in which Mr. Dorr may have misrepresented farming arrangements in connection with seeking to avoid farm program payment limitations. Questions were asked at the nomination hearing, but unanswered questions remained. My letter dated May 17, 2002 and Senator Dayton's letter dated March 21, 2002 attempt to make clear that the Committee is interested in having the FSA conduct a year-end review of the Harold and Melvin Dorr Trusts for each of the years 1988 through 1993.

In your letter of May 28, you assert that the Office of Inspector General (OIG) has concluded that the Committee has received all the information it is requesting and that the Inspector General indicated that a "full and thorough investigation has been conducted regarding the matters pertaining to Mr. Dorr..." In fact, the memorandum from the Acting Inspector General that you attached does not support your assertion but instead contradicts it. The Inspector General's memorandum clearly delineates what OIG had investigated and what it had not. It had not investigated the years 1988-1992, and gave no indication that the Committee had been provided the information on these years it is seeking. Likewise, the memorandum makes clear that OIG has investigated only the matters referred to it and that it had not conducted a thorough investigation of all the matters relating to Mr. Dorr. I would encourage you to discuss this matter further with the Acting Inspector General.

Thus, the Committee continues to seek information about the period 1988 through 1992, during which time our understanding is that the arrangements were also represented to USDA to be custom farming and not crop share. We would also like to know if in fact the trusts have repaid the funds required by the year-end reviews already conducted as noted above.

It is true that the United States Attorney for the Northern District of Iowa declined to prosecute Mr. Dorr upon referral from the OIG, but it is the Committee's understanding that the statute of limitations had run in any case. Avoiding criminal prosecution, however, is only the most minimal and insufficient criterion for confirming an individual to a position as important as that of Under Secretary of Agriculture for Rural Development. Surely, nominees must be held to a higher standard.

Consistent with my earlier statements, I do intend to move forward on Mr. Dorr's nomination, but for the Committee to do so – in conformity with its obligations and responsibilities – it must receive the information it reasonably requires and has requested to evaluate the qualifications and fitness of the nominee to serve in this important position.

Thank you for your attention to this request.

Sincerely yours,

Tom Harkin
Chairman

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CRAIG THOMAS, WYOMING
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MIKE CRAPO, IDAHO

July 24, 2002

The Honorable Ann M. Veneman
Secretary of Agriculture
U.S. Department of Agriculture
200-A Jamie L. Whitten Building
Washington, DC 20250

Re: Nomination of Thomas C. Dorr

Dear Secretary Veneman:

Committee staff has reviewed certain information provided concerning the Melvin G. Dorr Irrevocable Family Trust and the Harold E. Dorr Irrevocable Family Trust and the Department's response that the information necessary to conduct a review of the farming arrangements for the 1988 through 1992 crop years is no longer available. Committee staff has also reviewed the information provided to the Committee regarding the end-of-year review for the 1994 and 1995 crop years for Dorr's Pine Grove Farm Company. To examine the Committee's concerns adequately, I respectfully request that the Department provide the additional information requested below:

1. Please provide the Committee with copies of all documents considered by the end-of-year review committee regarding Dorr's Pine Grove Farm Company for the 1994 and 1995 crop years.

2. Please provide the Committee with crop shares per CCC-477 for each of the crop years from 1988 through 1992 by farm number for each of the following entities or individuals:

   a. Dorr's Pine Grove Farm Company
   b. PGF Seeds, Inc.
   c. Thomas C. Dorr
   d. Melvin G. Dorr Irrevocable Family Trust
   e. Harold E. Dorr Irrevocable Family Trust
   f. Melvin G. Dorr Irrevocable Trust
   g. Harold E. Dorr Irrevocable Trust
   h. Melvin G. Dorr
   i. Harold E. Dorr
   j. Belva Dorr
   k. Dorr, Inc.
   l. Ioxtex Farm Company

The Honorable Ann M. Veneman
July 24, 2002

m. Seven Sons
n. Austin Properties
o. Diamond D Bar, Ltd.
p. Charles Dorr
q. Philip Dorr
r. Lawrence Garvin
s. Ned Harpenau
t. Richard Tolzin
u. Arlene Lanigan
v. Paul Polson

3. Please provide the Committee with a list of all farm program payments by crop year to each of the above entities or individuals for the crop years 1988 through 1992.

4. Please provide the Committee with copies of all CCC-478 and CCC-502 forms for Dorr's Pine Grove Farm Company for crop years 1996 through 2001.

Attached are five additional questions for the nominee. They are submitted for the record as a continuation of his nomination hearing, and thus Mr. Dorr should answer under oath.

Consistent with my earlier statements, for the Committee to move forward with this nomination, it must receive the information it reasonably requires and has requested to evaluate the qualifications and fitness of the nominee to serve in this important position.

Thank you for your attention to this request.

Sincerely,

Tom Harkin
Chairman

cc: Mary Waters, Assistant Secretary for
Congressional Relations
Tom Dorr

THE SECRETARY OF AGRICULTURE
WASHINGTON, D.C.
20250-0100

July 29, 2002

The Honorable Tom Harkin
Chairman
Senate Committee on Agriculture, Nutrition & Forestry
731 Senate Hart Building
Washington, D.C. 20510

Dear Mr. Chairman:

I am responding to your letter of Wednesday, July 24, 2002, regarding your request for a new, extensive review of records regarding Tom Dorr, the President's nominee to be USDA's Under Secretary for Rural Development.

This Department has complied with all your previous requests. We have done so in a timely and responsive manner. We complied when your request was expanded to include family members for which Tom Dorr has no control. Now, you have requested USDA to provide not only additional information on Mr. Dorr, his family members, but your inquiries have expanded to include extensive information from deceased and elderly Iowans.

Mr. Chairman, I urge you to move forward on the nomination of Tom Dorr by requesting the full Committee to vote on his confirmation. For more than 450 days we have acted in good faith in providing the Committee every bit of information requested.

Additionally, the Department has scoured through its own records, going back nearly fifteen years, at your request. We have done this not once, but on several occasions to cooperate with the Committee. And, we even did so after the Office of Inspector General, the independent investigative arm of the government, concluded that, *"we have investigated the matters referred to OIG concerning Mr. Dorr fully and consider this case to be closed...there is no new evidence to warrant reexamination nor the need to open a new investigation."*

Mr. Chairman, rural development programs are critical to communities throughout America and to your home state of Iowa. We are working diligently to implement a new farm bill that strengthens these programs, however, this task has become even more difficult without the leadership at the helm of this agency.

As well, each time a new request comes from you and your staff, we have to take valuable time and resources away from our already overwhelmed Iowa Farm Service Agency staff who have been working tirelessly on farm bill implementation, and trying to serve Iowa farmers and ranchers, who need their help for program administration.

This latest demand of the Iowa FSA office requests an investigation into 22 separate farm entities, data from hundreds of forms dating back nearly fifteen years, and even information from Iowa citizens who are deceased. Quite frankly, from what the staff in Iowa reports, it could take several months to compile this latest request, and drain a great deal of time, resources and effort away from farm bill implementation and constituent services in your state.

Chairman Harkin, I certainly appreciate the work of the Committee on our other nominees, but am very concerned as to the process involved with Mr. Dorr, particularly as he has received bi-partisan support from members on the Committee.

During the past year, Mr. Dorr and his family have weathered this extensive and exhaustive process. He has done everything asked of the Committee and has discontinued active farming and sold all his farm equipment. Mr. Dorr has been through an extensive hearing process, answered every question asked of him, and in good faith provided financial information, as requested.

I understand the need for any Senate Committee to receive and request information about nominees. Any person who serves this nation should live by the highest of standards. It is my belief that Mr. Dorr has demonstrated his ability to serve and to lead. And, throughout this process of hearings and inquiries, he remains a strong candidate for this position.

Mr. Chairman, again, this is a massive request of information and I feel you have held Mr. Dorr, a fellow Iowan, to a different standard. The Committee for the past year has sought, and received a plethora of information regarding this nominee and I urge you to allow Members to consider what has been provided in moving Mr. Dorr's nomination to the full Committee for a vote.

The best course of action is to proceed forward, take a stand, and make a decision on this nomination. The Department, as well as Mr. Dorr, has fully cooperated through this long and extensive process. I would hope, with all due respect, that you would allow Mr. Dorr and his family, the opportunity to have a Committee vote on his nomination. Mr. Dorr, as a proud Iowa native, is ready, able and capable of serving this Department and this nation.

Sincerely,

Ann M. Veneman

TOM HARKIN, IOWA
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CRAIG THOMAS, WYOMING
WAYNE ALLARD, COLORADO
TIM HUTCHINSON, ARKANSAS
MIKE CRAPO, IDAHO

July 29, 2002

The Honorable Ann M. Veneman
Secretary of Agriculture
200-A Jamie L. Whitten Building
Washington, D.C. 20250

Dear Secretary Veneman:

As you said in your letter today, "Any person who serves this nation should live by the highest of standards."

I could not agree more. For months this Committee has sought without success to obtain crucial information dealing with very serious farm program payment issues involving the nominee Thomas C. Dorr and the Farm Service Agency. The response from the nominee and from the Department of Agriculture has been slow, grudging and minimal. There has been no "plethora" of information provided to the Committee.

Shortly after the nomination hearing, Senator Dayton's letter of March 21, 2002 asked for information on the various financial entities with which Mr. Dorr was involved from 1988 through 1995. I wrote you on May 17 and June 6 seeking a response to the Committee's questions. Your letter of June 27 and attached materials left critical questions unanswered and, in fact, raised further questions about farm program payments and Mr. Dorr's farming arrangements that are the basis for the Committee's most recent request.

Based on what has been provided, it is known that the nominee was closely involved in misrepresentations to USDA which after investigation led to the required repayment of substantial amounts of farm program payments. Initially, the sum involved was some $17,000, but as the Committee looked further into the matter, it was made aware that another amount of some $17,000 was required to be repaid. Furthermore, information provided to the Committee late in June shows that some $65,000 in payments (not counting potential penalties and interest) were received under the same circumstances that led to the required repayment of the two $17,000 amounts.

The nominee was the self-described Chief Executive Officer of Dorr's Pine Grove Farms, Inc. In that position he created an exceedingly complex and convoluted web of farming business arrangements. The purposes for these various arrangements is not altogether clear, but according to the nominee himself in the case of two Dorr family trusts the purpose was to avoid the farm program payment limitation for Dorr's Pine Grove Farms, Inc. It was the misrepresentations to USDA of the nature of these arrangements that led to the required repayment of farm program

benefits. The matter was referred to the United States Attorney for possible criminal prosecution, but it is my understanding that the statute of limitations had run.

Recent corporate disclosures have underscored the obligation of corporate officers to play by the rules. Just like any other CEO, Mr. Dorr had responsibilities, not the least of which was that of fair and honest dealing with the Department of Agriculture regarding farm program payments. As a nominee, he also has responsibilities, chiefly to respond fully and honestly to questions that bear directly on his fitness to serve in a high position of honor and trust in the federal government. This nominee would do well to follow the advice given to other CEO's in awkward positions: come clean and lay all the cards on the table.

Ordinarily, a nominee would be eager to cooperate fully and provide the necessary information to clear up legitimate questions. The responsibility is the nominee's. It is not the responsibility of the Committee to issue subpoenas and pursue litigation-type discovery to get to the bottom of valid questions about a nominee. However, instead of cooperation, this Committee has only seen delay, unresponsiveness and now outright refusal regarding this nomination. The length of time it has taken to consider this nomination lies squarely at the doorstep of the nominee and the Department.

After much effort by the Committee to obtain answers to serious and legitimate questions, it is now clear that neither the nominee nor the Department intends to cooperate further with the Committee. Therefore the Committee will have to make a decision based on the troubling and inadequate information it has. I intend to bring the nomination before the Committee on Thursday to consider whether this nominee in his dealings with USDA and with this Committee does indeed "meet the highest standards."

Sincerely,

Tom Harkin
Chairman

QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

MARCH 6, 2002

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: In a letter dated May 8, 1996, you were informed that your farming operation, Dorr's Pine Grove Farm Co., had been selected for a 1995 farm program payment limitation and payment eligibility end-of-year review. You were informed that the farming operation would be reviewed to determine whether the farming operation was carried out in 1995 as represented on the CCC-502, Farm Operating Plan for Payment Eligibility Review. You were asked to provide documents and information and were further informed that if you failed to provide the requested information within 30 days of the date of the letter that you would be determined not "actively engaged in farming for the 1995 crop year." In a letter dated June 1, 1996, you requested a 30-day extension of the initial deadline citing weather and family concerns. In a letter dated June 7, 1996, Michael W. Houston the County Executive Director informed you that the Cherokee County Committee approved your request to July 8, 1996 to provide additional information requested by the End of Year Review Committee. The only further information with regard to this end-of-year review is a handwritten note in the file that reads: "Rec'd phone call from T. Dorr on 8-3-96 at home. Dorr plans on completing requested info., but needs more time. MWH" Please explain in detail what information and documentation you provided the county committee, when you provided the requested information, and your recollection of how this matter was resolved.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: According to Farm Service Agency records, for most farming operations in which Dorr's Pine Grove Farm Co. claimed a crop share, that share was roughly 50 percent, ranging from 44.77 percent to 51 percent. However for farm number 2571, Dorr's Pine Grove Farm Co. claimed a 23.6 percent share in 1998 and 1999 and a 33.38 percent share in 2000 and 2001. Please explain in detail why the crop share for farm number 2571 deviated so greatly from the customary crop share. Please provide the Committee with documentation, such as crop insurance records, to corroborate the crop shares as stated on the CCC-478 for the 1998, 1999, 2000 and 2001 crop years.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: Please explain in detail the process you went through to change the custom farming arrangements between Dorr's Pine Grove Farm Co. and the Melvin G. Dorr Irrevocable Family Trust and the Harold E. Dorr Irrevocable Family Trust to a 50/50 crop share.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: Please describe the farming arrangement between Dorr's Pine Grove Farm Co. and each of the following entities and individuals for each of the 1988 through 1992 crop years; e.g., whether any land owned by the entity or individual was leased by Dorr's Pine Grove Farm Co. or whether Dorr's Pine Grove Farm Co. provided custom farming services for an entity or individual. For each lease arrangement state the total number of cropland acres leased and the terms of the lease, i.e. whether cash rental, or if crop share the crop share percentage. For each custom farming arrangement state the custom farming services provided and the fees paid to Dorr's Pine Grove Farm Co. in total and on a per acre basis.

a. PGF Seeds, Inc.
b. Thomas C. Dorr
c. Melvin G. Dorr Irrevocable Family Trust;
d. Harold E. Dorr Irrevocable Family Trust;
e. Melvin G. Dorr Irrevocable Trust;
f. Harold E. Dorr Irrevocable Trust;
g. Melvin G. Dorr;
h. Harold E. Dorr;
i. Belva Dorr;
j. Dorr, Inc.;
k. Ioxtex Farm Company
l. Seven Sons
m. Austin Properties
n. Diamond D Bar
o. Charles Dorr
p. Philip Dorr
q. Lawrence Garvin
r. Ned Harpenau
s. Richard Tolzin
t. Arlene Lanigan
u. Paul Polson

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: Please list all other entities and individuals not included in the previous question with which Dorr's Pine Grove Farm Co. had a farming arrangement for any of the 1988 through 1992 crop years. For each entity and individual listed describe the farming arrangement; e.g., whether land owned by the entity or individual was leased by Dorr's Pine Grove Farm Co. or whether Dorr's Pine Grove Farm Co. provided custom farming services for the listed entity or individual. For each lease arrangement state the total number of cropland acres leased and the terms of the lease, i.e. whether cash rental, or if crop share the crop share percentage. For each custom farming arrangement state the custom farming services provided and the fees paid to Dorr's Pine Grove Farm Co. in total and on a per acre basis.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: As a member of both the Senate Agriculture Committee and the Senate Aging Committee I take a great deal of interest in rural seniors. Since 1900 our older adult population in the United States has tripled. Unfortunately housing options for seniors, especially in rural America, leave much to be desired.

Senior housing coops are emerging as a real solution. The benefits are well-documented. Among other advantages is the fact that they allow rural seniors to stay in their home communities. Launching these coops, however, requires more start-up education and organization than many commercial developers are willing to invest, even in a market-rate cooperative.

How can USDA play a more constructive role in developing senior housing, especially cooperatives, in rural America?

Response:
It is essential to work with local developers to determine what developers' concerns are. Rural Development is not able to provide these services alone, but must work in partnership with other housing providers. I understand that Rural Development has some experience, but limited success, with cooperative housing.

In FY 2000, Rural Development funded a study by the University of Wisconsin to review the current regulations and make recommendations for changes that would make cooperative housing more acceptable to rural areas. This study revealed some needed changes in the regulations and those changes are being incorporated in the pending regulations. The biggest change was the way in which the agency set up the patronage accounts to make them more consistent with current housing cooperatives.

Another opportunity Rural Development should pursue is to examine the growing secondary markets for housing assets. Rural Development needs to determine if these financial tools are available and will reduce costs. Secondary market issues and developer concerns must be scrutinized to construct a workable program.

A team of specialists must be developed to take the lead to make projects happen. As with any new, or substantially revised program, a commitment of core staff is essential.

USDA has provided more than $163,661,923 to rural seniors through the Rural Housing Service Community Facilities Program since 1999. These loans/grants were made to provide financial assistance for developing or improving nursing homes, assisted living facilities, adult day care centers, boarding homes, or community centers. These loans/grants were made to public bodies, not for profit organizations, and Indian tribes. The Community Facilities Program has more than $23,919,519 pre-applications and

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: Many of us on this committee have spoken, both here and elsewhere, about the need for long-term solutions to the crisis in agriculture and our rural communities. We're not just talking about farm income problems – though we have plenty of those. We're talking about housing shortages, and the digital divide and jobs and the list goes on and on.

One of the ways rural areas have been helping themselves for a long, long time is through cooperatives. For starters, it was cooperatives that brought electric power to rural America. People working together through cooperatives are addressing a lot of other challenges, too.

Whether its value-added coops; or housing coops for rural seniors; or health-care coops in places where big corporations fear to tread – I want to make sure that USDA plays an encouraging role through polices that support adequate financial and technical assistance.

What will you do to create and coordinate an integrated cooperative policy that promotes cooperative self-help solutions across all sectors in rural America?

Response:
I will work to provide educational initiatives designed to foster new views of integrated policy planning geared to solving rural community economic woes.

I will work to initiate a national leadership-training program with a state and regional focus. This could be handled by the Cooperative Service organization within Rural Development. Due to declining population, individuals with effective leadership skills are growing older and more scarce in rural America. It is my hope these skills can be renewed through expanded and effective training programs. One source of these skills and experience is retired workers. This resource could be tapped to provide some of the leadership needed for this training initiative. Such a cooperative program could be incorporated with other technical assistance provided by this mission area.

It is important to seek ways to effect regional development without disrupting local culture. Integrated cooperative policies promoting development could protect against the deterioration of local culture and the homogenization of rural America.

Rural areas must have access to the same modern infrastructure, particularly telecommunications infrastructure, which urban areas enjoy. A coordinated and integrated cooperative policy must incorporate a defined focus on the utilization of broadband, high-speed Internet access, and other new and evolving technologies.

applications on hand as of March 7, 2002, that would provide financial assistance for the development of senior housing. Through the Community Facilities Program, cooperatives are eligible to receive financial assistance for the development of facilities serving seniors.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: Rural entrepreneurs face well-documented difficulty in generating equity to launch new business and cooperative ventures and secure debt financing. Our farm bill includes a number of provisions to address this issue, including the National Cooperative and Business Equity Act that I authored. It would provide a significant new source of private/public equity investment for rural businesses.

What steps would you take to resolve the equity problems facing rural America and how high would this be on your agenda?

Response:
Equity problems facing rural America are very high on my list of concerns and critical to revitalizing rural economies. Rural Development needs to work with rural credit providers and the Cooperative State Research, Education and Extension Service to develop new cooperative/business structures that would enable producers to more securely and better leverage their asset base into value added and new business ventures.

Existing tools must be utilized, and new ones created, to provide producers with the managerial and technical skills needed to ensure that new ventures succeed. For rural ventures to succeed in accessing equity and debt capital, they must be presented in a sophisticated and demonstrably sound plan.

The development of the skills needed to do this is essential for rural areas to grow and prosper. Pre and post investment mentoring, through the provision of technical assistance, will likewise be critical to the success in launching these credit enhancement programs.

Creating a business and credit culture conducive to launching new rural business ventures will require exploiting old and developing new financing relationships. Some possible options would be to stimulate cross agency collaborations with community banks, the Farm Credit System, and the financial intermediary network of capital providers like Community Development Financial Institutions (CDFI), CDVCA, USDA's RBIC program, and the Small Business Administration's (SBA) Small Business Investment Company (SBIC) program in order to leverage the USDA's $150 million National Cooperative & Business Equity Fund.

For example, the Department of Treasury's new CDFI program, the "New Market Tax Credit (NMTC)" will provide $15 billion in tax credits to investors that invest in CDFIs. This program could bring individuals, corporations, and financial institutions together to collectively address these under served capital markets in rural America.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: Rural housing issues tend to get lost in the vastness of the Department of Agriculture, yet the Rural Housing Service runs a number of important programs that provide much-needed affordable homeownership and rental housing to rural residents. What will you do to strengthen support for these programs and ensure that funding levels are adequate to meet rural needs?

Response:
I agree that the housing programs provided by the Rural Housing Service are extremely important to the well being of rural America. If confirmed as Under Secretary, I will work to heighten awareness of rural housing issues and of Rural Development's accomplishments in both the Department and in Congress. I will continue to encourage the adoption of private sector mortgage practices for all our housing programs. The guaranteed single-family housing program has made great strides in recent years in adapting processes, which are similar to the private sector and support the sale of the guarantees in the secondary market. The guaranteed multifamily program is also seeking to make its processes compatible to the private sector so that its guaranteed lenders can also access the secondary market.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: The Section 515 multifamily direct loan program finances new construction of affordable housing, as well as provides funds for the rehabilitation of existing 515 properties. The demand for rehab funds far surpasses available resources, as does the demand for new construction. In spite of this, the administration is recommending cutting the current budget of $114 million to $60 million in FY 2003. What steps would you take to preserve the 515 stock and provide for new construction?

Response:
The 515 program, while providing much needed housing assistance in rural areas, carries a huge budgetary cost. Approximately 38 percent of the total program Budget Authority for Rural Development is related to the 515 program.. Also in the President's budget is a request for $2 million to conduct an evaluation of this program. I think this is the first step in developing a response that not only addresses the preservation needs of the existing portfolio and the need for new construction, but also looks at how to revise the program to reduce the cost while still meetings the needs of the rural residents it is meant to serve. If confirmed as Under Secretary, I will fully engage interested members of Congress in the resolution of this growing problem.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: In general, what do you see as the proper role and the limitations on the role of USDA Rural Development?

Response:
The role of USDA Rural Development is to encourage, facilitate, and foster self-determination in the growth and development of rural America.

The traditional role of Rural Development has been to provide loans and grant funds to build infrastructure, provide housing opportunities, and assist in the creation of jobs. The direct investment of Federal funds in rural America is important and must continue, especially in those areas of greatest need.

With the traditional sources of farm income providing less and less of rural America's income, the major need is jobs at more than just a living wage. The challenge is how to unleash the entrepreneurial spirit and the equity, from relatively non-liquid natural resource based assets, in sound, creative, and productive ways.

The agricultural crisis of the eighties has left a lasting scar on the rural America psyche. Its willingness to take risk, utilize constructive leverage, and encourage this entrepreneurial activity has been diminished.

Rural Development must attempt to not only utilize its traditional tools, but should foster cross-agency creativity, exploit the many new technology based tools, become an inspiring leader, where possible, while all the while leveraging the resources provided by Congress.

Finally, and most importantly, Rural Development must listen closely and be sensitive to the demands, expectations, and dreams of those either living or desirous of living in rural America. By doing so Rural Development, in conjunction with its many state and local partners, will encourage, foster, and sustain the many diverse economic, social, and cultural capacities of rural America, which can make it a vibrant place to live.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: Regarding rural water and waste water programs, what should the criteria be in deciding which communities should receive assistance when resources are limited?

Response:
I believe the project selection criteria currently used by Rural Development is reasonable. These criteria give priority to communities that have smaller populations, lower income levels, and more significant health or sanitary problems. Additional priority is assigned to projects for such things as contributing to more efficient provision of service, extending service into new areas from an existing system, or including significant other funding.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: At this point, we have a huge backlog in the rural sewer and drinking water programs. Is this something that should be significantly reduced with increased federal assistance?

Response:
I support reducing the backlog, as proposed in the Senate version of the Farm Bill, to the extent that it can be done within the funding available. As Under Secretary, I would encourage the field to work with other agencies that could contribute to the reduction of the backlog through leveraged financing.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: Do you believe that the Government should provide financial assistance to businesses? Under what circumstances is that appropriate?

Response:
Yes. Financial assistance to businesses is vital to the development of jobs in rural areas. There is a documented lack of credit in most rural areas to support economic development. Many of the businesses applying for financial assistance in rural areas are owned or operated by members of the local community and they often have a need for larger loans than the local financial institutions can provide. Government-sponsored financial assistance provides stability in the lending community while allowing the funds to be leveraged with resources of the commercial sector, cooperatives, or other private-sector lenders.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: One of the clearest shortcomings in the rural economy is the lack of equity capital crucial for starting new businesses, particularly mid-sized manufacturing in value-added processing and in other areas as well. As you may know, the State of Iowa recently enacted two bills to increase the availability of equity capital. What should the Federal role be?

Response:
As you indicated, equity capital is crucial for start-up businesses. The Federal role should be one that partners with private sector investments to provide this much needed equity capital to rural businesses. The partnering could be in the form of matching funds with private investment funds, federal guarantees of private investment funds which would offset a portion of the investor's exposure, or tax credits to an investor willing to invest in rural America.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: Regarding broadband, a new technology, not available in a good share of rural America, do you think the Federal Government should reasonably provide assistance as it did in bringing electricity, telephone and quality drinking water to small communities?

Response:
Broadband is an infrastructure solution for providing the quality and speed of access to the Internet. Rural businesses and families should not be excluded from this access. In locations where broadband is not accessible, it should be supported by the Federal Government where the private sector is failing to do so.

High-speed Internet access, and the ability to participate in the global economy which comes from that access, will be essential for rural America. Electronic commerce overcomes the influences of geographical distance and local customer base limitations, which have traditionally limited the ability of rural businesses to grow.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: In an earlier meeting, we spoke about the need your community had in needing to improve the local rail line – the CC&P and you indicated your involvement in that effort. I was a strong supporter of Federal assistance for low-density rail lines, so important for the economies of rural America. I had acquired earmarks in Transportation Appropriations for that line under the now eliminated Local Rail Freight Assistance Program, helping to keep the line in operation so shippers could move their goods at a reasonable price. Is that type of support an appropriate Federal role in your view?

You indicated in an earlier talk we had that a reason you talked about the need for very large farming operations was the need to get rail rates down. How coal moving rail rates were far lower. Is it really realistic to expect that grain rates will ever be nearly as low as coal rates?

Response:
The federal and state support afforded this local initiative through the Local Rail Freight Assistance Program at that time seemed quite appropriate. It met and solved a significant need, not simply through Northern Iowa, but I assume in many rural areas throughout America. As new needs evolve I would hope that similar responses will be developed through the legislative process.

I apparently did not make myself clear with regard to the structure of grain shipping rail rates. I was not suggesting that individual farming operations should aggregate to such a size to effectively realize a dramatic decline in grain shipping rates.

I was, however, suggesting that by the use of technology to better manage cooperatively a multitude of producers' inventories in conjunction with end-user demands, producers might be able to capture significant freight savings.

By enabling freight companies to match power and shipping capacity with a more even-flow, similar to coal, everyone might gain, especially farmers. I envisioned these savings going directly to family farms, thereby improving their capacity to compete and remain competitive.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: USDA used to have significant funding for multifamily housing and minimal level of funding continues for the commonly called 515 program. Do you believe that this is good program that should be expanded?

Response:
According to USDA statistics, the Rural Rental Housing (RRH) Section 515 program serves tenants with an average adjusted annual income of less that $8000. Section 515 serves a large population of the elderly, minorities, and persons with disabilities in rural areas. I believe it is a good program. The 515 program has been helpful in getting low-income senior citizens out of apartments above commercial properties which were unsafe, as well as out of single family homes which were often substandard and beyond their ability to be maintained.

The 515 program operates in conjunction with the Section 521 Rural Rental Assistance program which mitigates the rent burden of the tenants. Therefore, any increase in the 515 portfolio would also require additional funds for rental assistance.

Expansion of these programs would, of course, depend on the allocation of scarce resources but, if confirmed, I will work to make this program serve the maximum possible number of residents in rural areas.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: USDA Rural Development manages the 502 Housing program providing assistance for people of very modest means to become homeowners, to participate in one of the cornerstones of the American dream. What do you think of that program? Why was it the target of a significant cut?

Response:
I fully support the direct and guaranteed Section 502 housing programs within the mission area. Together, these programs assist very-low, low and moderate-income families who are unable to secure private sector financing to achieve the dream of homeownership.

The budget request for FY 2003 continues to support these programs although at slightly reduced levels. I understand that over the past several years, the mission area has expanded its capacity to leverage funds with other partners. For example, the Rural Home Loan Partnership began in 1996 in 8 states and assisted 36 families with homeownership. Families were assisted with a Section 502 loan, leveraged with private sector loans and often with other affordable housing products brought together by a local nonprofit community development corporation. In FY 2001, this partnership had expanded to 47 states and 1800 families were assisted with the private sector providing over $70 million in financing with nonprofits providing $17 million in assistance. These partnerships help build capacity in rural America while allowing the private and nonprofit sectors to work together with Rural Development. If confirmed, I will work to expand partnerships such as this to ensure that the mission area leverages it resources to help as many families achieve homeownership in rural America.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: How useful do you think the Business and Industry Guaranteed Loan Program is and what types of business activities should be targeted with this program?

Response:
The Business and Industry Guaranteed Loan Program is an important tool in the development of rural areas as there are many rural areas in which lenders will not lend without Government guarantees. Since only the non-guaranteed portion of the loan counts toward the lender's legal lending limit, a B&I guarantee allows rural lenders to make larger loans than they could have without a Government guarantee. This also helps the lender increase the number of loans which can be made with a limited amount of funds.

Generating jobs with guaranteed loans is especially important in areas that are experiencing a change in the agricultural economy. As the number of farmers declines, jobs generated with guaranteed loans can provide significant alternative employment opportunities.

Businesses which should and can be targeted for preference by the B&I program are those that support value-added agriculture and the development of renewable energy sources.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: What size of business should be targeted with this program?

Response:
Rural America is replete with diversified business and economic needs. To target the size of the business that this program should support would, in my opinion, be a discredit to the diverse needs of rural areas and the businesses that support those areas. Rather, priority should be given to businesses that are going to provide an adequate wage to its employees and will foster additional business development in the region.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: The Senate Farm Bill expands the program to allow the B&I program to be used for the acquisition of equity by farmers for cooperatives. Do you agree with this provision? Why or why not?

Response:
Agricultural cooperatives are a vital procurement, processing, and marketing tool for many agricultural and resource based commodities. The development and growth of these cooperatives contribute to the general health and wealth of the rural economy. I support expanding the Cooperative Stock Purchase program to provide financing for those new producers needing financial assistance to purchase stock in existing cooperatives. This assistance will help the farmer realize more income through the farmer-owned cooperative processing and marketing of value-added products.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: The Senate Farm Bill provides for a low documentation process for this program. Do you agree with that idea? Why or why not?

Response:
I support a reasonable documentation process for certain B&I Guaranteed Loan Program applications, such as applications for working capital or the Cooperative Stock Purchase program. Apparently a short application form for working capital is included as part of the Cooperative Stock Purchase Program regulation that currently is in clearance in the Department.

The Agency will consider the use of this shortened application form for working capital applications. However, as the average B&I loan amount increases, so will the Agency due diligence responsibilities. A lot of the applications received involve complex, specialized business ventures, and adequate documentation will be essential in order that both lender and Agency may make informed and sound fiduciary decisions on the applications. Continued lender participation will depend on due diligence and informed decision making.

QUESTIONS SUBMITTED BY SENATOR HARKIN

THOMAS C. DORR

Question: The Administration proposes a significant reduction in the B&I Guaranteed program levels (from a program level of $1.15 billion to $733 million). Why is this drop in program levels logical given the considerable need for economic development?

Response: The reduction is a function of the manner in which program levels are determined in the Federal budgeting process. In FY 2002, there was a significant increase in the subsidy cost for the B&I Guaranteed Loan Program, due to lower interest rates and historical losses occurring at a higher rate than what had been previously projected. As a result of the higher subsidy rate, a loan level of $732,629,000 was supported in FY 2002. The Agency was fortunate to have sufficient carryover for FY 2001 that, combined with the FY 2002 appropriated, provided a total supportable loan level of $1.15 billion for FY 2002. The President's FY 2003 budget supports the same supportable loan level as the FY 2002 appropriations supportable loan level.

The Agency is currently evaluating ways to offset some of their subsidy costs. One consideration is the charging of an annual renewal fee based on the unpaid principal and interest balance on the loan, in addition to this up-front loan origination fee.

QUESTIONS SUBMITTED BY SENATOR CONRAD

THOMAS C. DORR

Question: You stated that you changed the nature of the relationship between Pine Grove Farms and two family trusts to maximize program benefits similar to what other farming operations have done. Can you tell me what those changes were and when they occurred?

Response:
The rental agreement between Dorr's Pine Grove Farm, Inc. (Farm) and the two family trusts changed from a 50/50 share rent arrangement to a custom farming and management arrangement in 1989. Thomas Dorr (and thus Dorr's Pine Grove Farm, Inc.) had no interest in the Harold E. Dorr Irrevocable Family Trust (HED), and was a trustee (one of three) and beneficiary (one of eight) in the M.G. Dorr Irrevocable Family Trust (MGD). I did not have any control over the decisions of the trustees of the HED Trust, and was a minority trustee and minority beneficiary in the MGD Trust.

The decision was made to change from a strict 50% share to a custom farming arrangement to allow flexibility in the amount that Farm would receive. With a strict share, there is no flexibility. With the custom farming arrangement, there was perceived flexibility, and in bad crop years, less economic stress would be put on the family trusts. While this could give more payment limitation possibilities to the landlord, as the trust would receive all of the payments, rather than 50%, it was of such insignificance that it was not an issue.

QUESTIONS SUBMITTED BY SENATOR CONRAD

THOMAS C. DORR

Question: If nearly a similar situation existed prior to 1993, have the Trusts offered to pay USDA back any money that may have been improperly received?

Response:
No, the trusts have violated no law nor improperly received any federal monies in the judgement of the trustees, and thus there is no reason to so act.

QUESTIONS SUBMITTED BY SENATOR CONRAD

THOMAS C. DORR

Question: What were the prospective payments or projected payments for Pine Grove Farms and the Trusts in the years leading up to and after the change from crop share to custom farming? Would you please submit this information to the Committee?

Response:
I am unable to recollect the payment history prior to 1989, and I no longer have those records, although the FSA should have that information.

There were no payment limitation issues because the amount of money which each trust received was small, and, when combined with the payments received by Farm did not approach the payment limitation in any year from 1989 through 1995. The combined payments in 1989 through 1995 were approximately the following: 1989 - $49,750; 1990 - $31,500; 1991 - $28,000; 1992 - $49,000; 1993 - $16,000; 1994 - $32,500; 1995 - $13, 750.

In addition, if Farm was interested in obtaining more payments, under the law and regulations in existence at the time, and to this very day, I could have formed two additional corporations, and been legally eligible for two additional limitations. I did not even fill the one I had in any year from 1989 through 1995.

QUESTIONS SUBMITTED BY SENATOR CONRAD

THOMAS C. DORR

Question: Were crops on land owned by the trusts insured during the years in question and who will the Risk Management Agency tell us was the insured, the trusts or Pine Grove Farms?

Response:
Crops on land owned by the trusts were insured during the years in question, showing the trusts as the sole insureds.

QUESTIONS SUBMITTED BY SENATOR CONRAD

THOMAS C. DORR

Question: Were there any indemnities paid on crops grown on land owned by the trusts in question and who received the payments?

Response:
Yes, the trusts were the loss payees in all cases.

QUESTIONS SUBMITTED BY SENATOR CONRAD

THOMAS C. DORR

Question: My understanding from the press account of today is that the trusts had to pay back some money due to a shares violation. Did FSA determine in their review that, although the relationship between these trusts and Pine Grove Farms was certified to be a custom farming arrangement, a share crop situation continued to exist?

Response:
MGD Trust paid back certain amounts received by it because it was determined that there was insufficient money at stake to appeal the issue of whether or not the contributions of the landowning trusts were "commensurate" with their claimed shares. There was no determination of any scheme or devise, only a finding that the shares were not commensurate. We did not agree with that finding at the time, but chose not to appeal the issues for economic reasons.

QUESTIONS SUBMITTED BY SENATOR CONRAD

THOMAS C. DORR

Question: For the years of 1993 through 1995, when the trusts in question received program payments from USDA or proceeds from crop sales, did Pine Grove Farms receive a corresponding check for approximately one half of the proceeds?

Response:
The Trust received the USDA payments, made payable to it, as well as crop sale proceeds. Subsequently, the Trust paid Farm for its services pursuant to the agreement reached between the trustees and Farm.

QUESTIONS SUBMITTED BY SENATOR CONRAD

THOMAS C. DORR

Question: Would it be fair to say that FSA determined that although the certification for the trusts had changed from crop share to custom farming, the net financial result for Pine Grove Farms had not changed?

Response:
I am not able to characterize what "FSA determined", but would rather have that agency speak for itself. In the opinion of the trustees, however, the potential net financial result for Farm (Dorr's Pine Grove Farm Co.) did change, once the agreement switched from a 50/50 crop share to a custom farming and farm management fee agreement, as Farm, under the new arrangement may have received a greater or lesser net financial result in any future year, than previously had been the case.

QUESTIONS SUBMITTED BY SENATOR CONRAD

THOMAS C. DORR

Question: Who was in operational control to manage the business dealings had control of the checking accounts for each of the trusts?

Response:
The three trustees, I and two of my brothers for the MGD Trust. Neither of my brothers had any interest, financial, or otherwise, in Farm at any time.

The trustees of the HED Trust had that authority and control of that trust.

QUESTIONS SUBMITTED BY SENATOR CONRAD

THOMAS C. DORR

Question: If the practical operation of the Trusts had not changed with regard to Pine Grove Farms, what could have possibly been the reason for changing from crop share to custom farming for these trusts?

Response:
It was anticipated that in the future the federal farm program benefits entitlement provisions might change requiring farmland owners to have an established history of operating other than on a crop-share basis, in order to continue to qualify for federal payments. This operating change occurred in anticipation of that possible law change. Further, this change gave the trust additional flexibility in structuring a fee agreement with Farm in any given year as explained earlier.

QUESTIONS SUBMITTED BY SENATOR CONRAD

THOMAS C. DORR

Question: If the trusts were certified as a custom farming arrangement, yet the result was crop share, wouldn't that constitute filing false statements with USDA?

Response:
No. The trust land was custom-farmed according to an oral fee agreement reached between the trustees and Farm. The MGD trustees (the majority of whom had no interest in Farm, as indicated) have always assumed it was their prerogative to pay Farm an amount for those services (including management services) they deemed appropriate each year, consistent with their fiduciary duties and our Father's desire in establishing the trust approximately 25 years ago. I, being only one of the three trustees (of MGD trust) responsible for setting that fee agreement, was not in position to control that decision. I had no beneficial nor trustee interest in HED trust.

QUESTIONS SUBMITTED BY SENATOR CONRAD

THOMAS C. DORR

Question: Who signed the documents certifying the change from crop share to custom farming for each of the trusts?

Response:
There was no "document" signed changing the arrangement, as it was an oral agreement reached between trustees and Farm. The CCC-502D forms, filed by each trust, were signed by Belva Dorr, trustee of HED and myself, as trustee of MGD, respectively.

QUESTIONS SUBMITTED BY SENATOR CONRAD

THOMAS C. DORR

Question: If the change from crop share to custom farming changed before 1993 for the Trusts in question, would USDA find nearly the same situation they found for 1993 through 1995?

Response:
That is a determination that USDA would have to make, not one I could predict.